



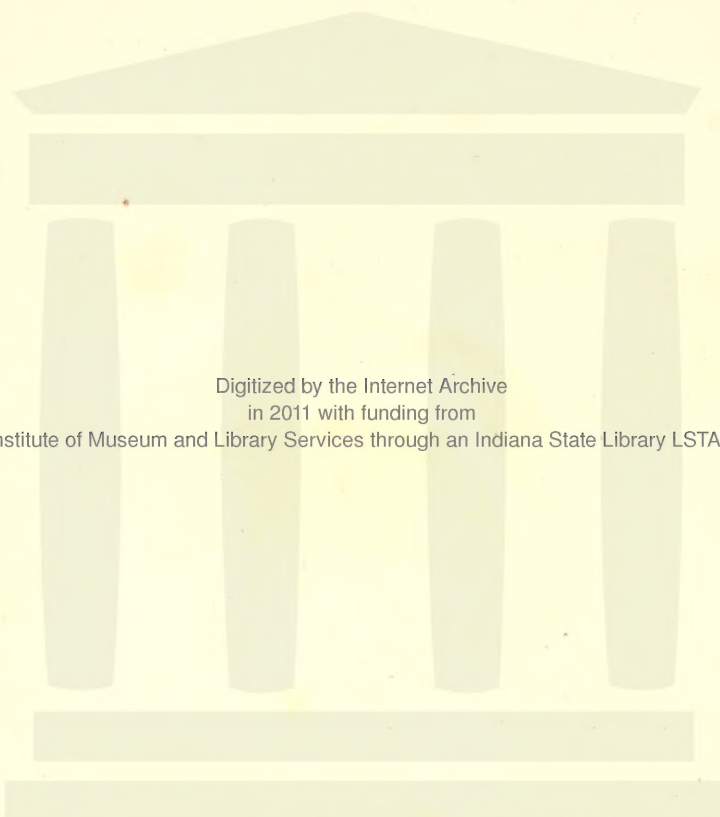




With the kindest regards  
of the Author.

Charlotte, Dec. 4, 1891.





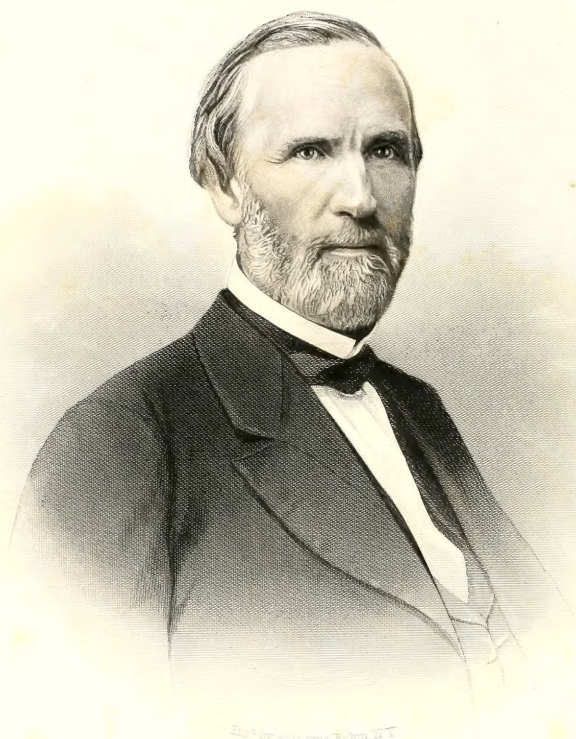
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Geo. W. Julian



# SPEECHES

ON

## POLITICAL QUESTIONS

BY

GEORGE W. JULIAN.

WITH AN INTRODUCTION

BY

L. MARIA CHILD.

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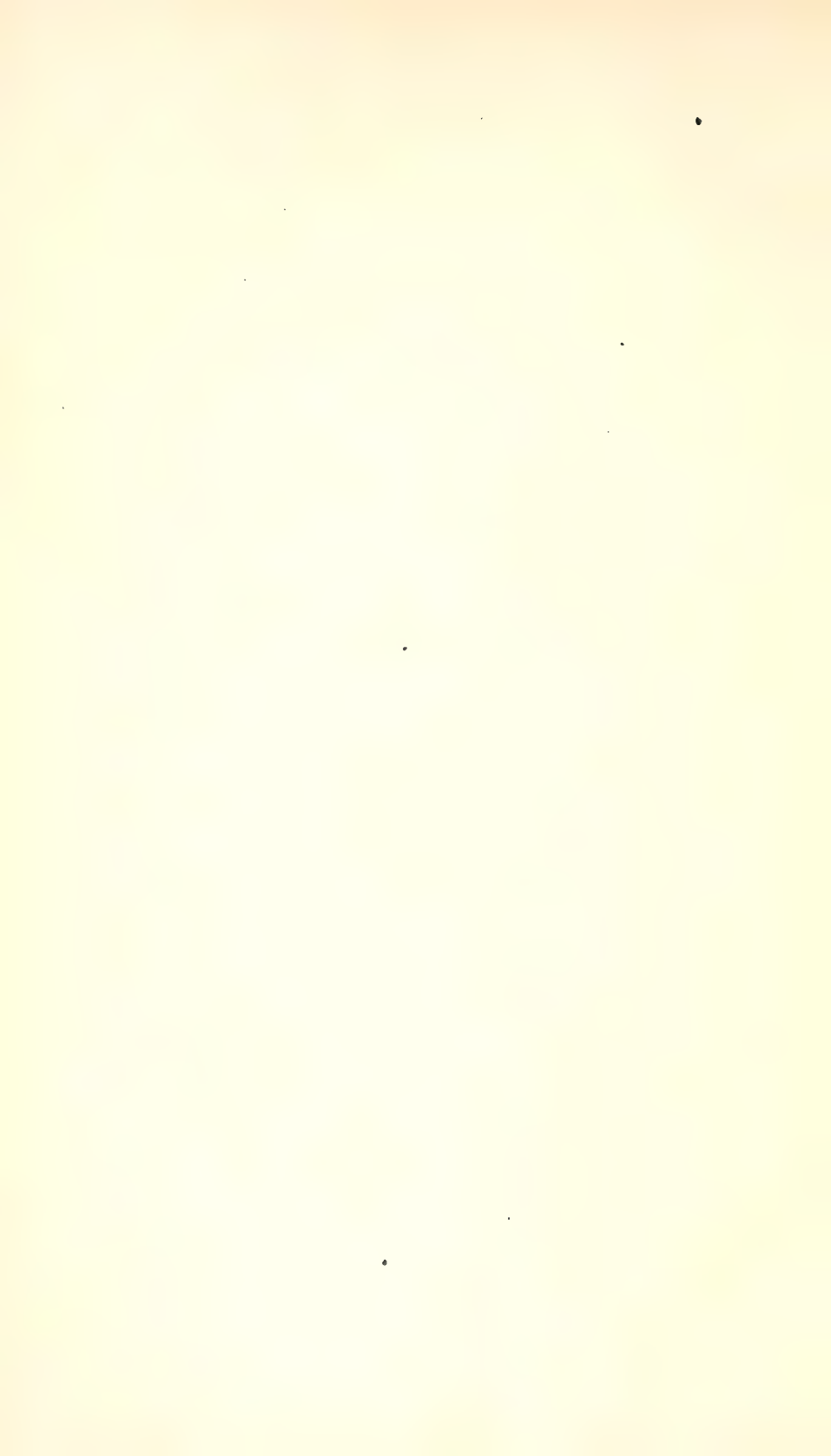
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To the people I have so long served in Congress, and especially to the many devoted friends who have sustained me with such singular steadfastness in the political conflicts of the past, I respectfully dedicate this volume. It is compiled and published chiefly for them, and in memory of common struggles and sacrifices for principles long overwhelmingly trampled down, but now finally in the ascendant. To the general public these speeches will possess only such interest as pertains to by-gone discussions of great public questions, and to views, vehemently combated when uttered, which have been tried by the verdict of time. With a single exception they are printed in the order of their delivery; and I only add, that while in a few instances opinions are advanced which have since been modified, my constant and inspiring aim was to declare what I believed to be the truth.

GEORGE W. JULIAN.

CENTREVILLE, INDIANA, *October, 1871.*





# INTRODUCTION.

BY L. MARIA CHILD.

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No one who has observed the course of our public men, and who sincerely believes in the great principles of justice and freedom on which the government of the United States is founded, can fail to honor the character and appreciate the labors of the Hon. George W. Julian, whose name has for several years past been familiar to the public as a prominent Member of Congress from Indiana.

Like many of our distinguished citizens, he is what is called "a self-made man;" a class that would be better designated as *labor-made* men. His paternal ancestors emigrated from France to the eastern shore of Maryland the latter part of the seventeenth century. His father was one of the pioneer settlers of Indiana, and became a member of the Legislature of that State. He established himself near Centreville, the shire town of Wayne County, where George was born May 5, 1817. When he was six years old, the father died; leaving a widow with six children and straitened means for their support. She was a faithful mother to the little orphans, but they were obliged to struggle with many difficulties. Under this early rigorous training of circumstances, George grew mentally and physically vigorous. From boyhood he was distinguished by uncommon diligence and perseverance, both in work and study. The common country schools of that period, and the occasional loan of a good book from some friendly neighbor, constituted the whole of the

educational advantages within his reach ; but he availed himself of them to the utmost. After working all day in the fields he was accustomed to split a quantity of kindlings, and, in lieu of oil or candles, pursue his studies till late into the night by the light they afforded. It was fortunate for himself and for his country, that he was not born to drift down the stream of life in a pleasure-barge, gazing listlessly at the stars above him, or at the flowers on the banks ; that he was, on the contrary, from childhood upward, obliged to row his own boat, against the current, and often among snags and rapids. The arduous task imparted muscular strength to mind and body, and formed him to habits of self-reliance and close observation. The well-known Quaker, Elias Hicks, used to say, "It takes *live* fish to swim *up* stream ;" and George W. Julian, by his success in that operation, has proved himself very much alive.

At eighteen years old he began to teach school, and discharged creditably the duties of that vocation. Even at that early age, he manifested the tendency, which has since characterized him, to take a firm stand against abuses. The big boys of his school combined with some men at work on the Cumberland Road to compel him to "treat" on Christmas Day, according to a custom prevailing in that region ; but being aware that the holiday was thus often made an occasion of riot, and sometimes of violence, he manfully resisted all their importunities and threatenings.

He continued to teach school for nearly three years, and toward the close of that period began to study law. He was admitted to the Bar in 1840, and has practiced law ever since, in his native place, with the interruptions incident to an active political career. In 1845, he was elected to the Legislature of Indiana, where he distinguished himself by his earnest opposition to the barbarism of Capital Punishment, and by his exertions to prevent



the repudiation of the State Debt. Although he belonged to a Whig family, and was elected by Whig votes, he never hesitated to act independently of his party whenever their views conflicted with his own principles. From the commencement of his public career, it was evident that his character furnished none of the materials necessary for a political tool. The lines of Schiller might be justly applied to him, —

“ This man was never made  
To ply and mould himself, like wax, to others :  
It goes against his heart ; he cannot do’t.”

About this period the writings of Dr. Channing awakened in his mind a lively interest on the subject of Slavery. It was a question that greatly plagued the politicians of that period, and both parties would gladly have dodged it if they could. Finding that impossible, they exerted their ingenuity to devise perpetual compromises between the antagonistic principles of freedom and oppression. Such service was alien to Mr. Julian's nature. He saw clearly that the system of slavery was evil throughout, in its character and its consequences ; and no motives of expediency could tempt him to suppress his convictions. It was a severe trial to him when the Whigs nominated General Taylor for the Presidency. He wanted to act with his old political friends and allies ; but his conscience was disquieted at the idea of helping to make the owner of many slaves the ruler of the Republic. For a while, he remained neutral. But Anti-slavery was then assuming a political form under the name of the Free Soil Party, whose object mainly was to prevent the extension of Slavery over any new Territories. He lent a thoughtful ear to the arguments they advanced, and when they invited him to become a delegate to their great Convention at Buffalo, in 1848, he accepted the nomination. The proceedings of that convention were in harmony with his state of mind, and he returned from it full of

enthusiasm for the new Party of Freedom. He canvassed for it with unexampled zeal and energy ; going from place to place, and often making three speeches a day. Nothing kindles intellect into such a glowing flame as a living coal from the altar of Truth. Those who had previously recognized Mr. Julian as a man of very promising ability were surprised at the masterful energy and eloquence which he now exhibited. But the more efficiently he advocated unpopular truths, the more he was hated and maligned. Only those who were themselves abolitionists, at that stormy period, can imagine how much he had to encounter from the alienation of friends and relatives, the misrepresentations of political opponents, and the displeasure of former political associates. He was accused of being a general disorganizer of society ; of trying to promote bloody insurrections at the South ; of intending to cheapen the labor of white men by flooding the North with fugitive slaves ; and of the crowning iniquity of promoting marriages between blacks and whites. But though he was persecuted as such a dangerous disturber of the public peace, editors indulged in facetious gibes and jeers concerning the smallness of the audiences he addressed ; representing them as consisting mostly of " negroes and women." Mr. Julian considered large *principles* more important than large *audiences* ; and he went on proclaiming Anti-slavery truths to whomsoever would listen, spicing his discourse with pungent sarcasms on all those who proved recreant to the cause of freedom. The armor of his pro-slavery adversaries was full of holes, through which his keen eye and skillful hand could easily pierce them to the marrow of their bones with the sharp arrows of truth. The worst of all was that they knew he was in the right ; and his ability to prove it made him the most thoroughly hated man by all the time-servers of that region.

The result of this fierce struggle between truth and



falsehood, freedom and slavery, was highly creditable to the good sense and correct principles of the people in Mr. Julian's District. They signified their high appreciation of his character by electing him to Congress in 1849. A large portion of the Democratic Party, willing to defeat the Whig ticket by any process, threw their votes for him. This led to charges of "bargain and corruption." But Mr. Julian, who never prowled in dark corners, but always walked abroad in open daylight, had repeatedly and publicly declared that he wanted the vote of no man who did not stand fairly and squarely on the platform of his own avowed principles; and the slander, though oft repeated, was not believed. His election was fairly earned and richly deserved. Probably there was no individual who labored more efficiently than he did to extend the principles of the Free Soil Party, — principles which made California a Free State, rescued Oregon from the curse of Slavery, and culminated in the overwhelming strength and final ascendancy of the Republican Party.

As a Member of Congress Mr. Julian manifested the same uprightness and downrightness of character, which had previously distinguished him. There was then before the House a Bill called the Wilmot Proviso, intended to prevent the extension of Slavery into the new Territories acquired by the war with Mexico. The Slave Power and its servile tools at the North, sought to checkmate the increasing influence of Free Soil principles, by inaugurating an idea which they styled "the doctrine of popular sovereignty;" the plain meaning of which was that the people who settled a Territory had a right to decide whether they would introduce Slavery or not, and that Congress had no right to legislate on the subject. Their plan was to crowd the poor, ignorant whites of the South into the Territories, and by their agency secure the introduction of Slavery; a plan which not long after began to be worked out in the murderous onslaughts of Missouri.

ruffians upon the Northern settlers of Kansas. The political tools of the South were very ready to adopt this compromise of free principles disguised under the attractive name of "Popular Sovereignty." But Mr. Julian was alive to the falseness of its pretensions and the danger of its consequences, and he resisted it with all the strength of his earnest nature. In the same spirit, he fought against the Fugitive Slave Bill, which converted the North into a slave-hunting ground for the South. And he also labored strenuously to restrict, as much as possible, the boundaries of Texas, which, by much political manœuvring, and in palpable violation of the Constitution of the United States, had managed to gain admission into the Union as a new Slave State. He also, at this early day, zealously advocated the Homestead Policy.

The bold, uncompromising ground which he took against the Slave Power, at every turn, enraged those whose self-interest was involved in the corrupt and artful game, while it also alarmed the timid; for much that now appears wise and just, when reviewed in the light of history, then seemed like a dangerous extreme of radicalism. He was again nominated for Congress, in 1851; but his political opponents rallied against him in such force that they defeated his election.

He was not a man to suppress truth, or to consent merely to whisper it, for the sake of the honors and emoluments of office. He still continued to hurl his sharp and well-aimed spears at the powerful and malignant Demon of Slavery. In 1852, he made a speech at Cincinnati on the "Strength and Weakness of the Slave Power," in which he arraigned both Whigs and Democrats as traitors to freedom, and boldly rebuked the time-serving course of the American churches and their clergy. It was in this year that he was nominated by his party for the Vice-Presidency, on the ticket with John P. Hale. In 1853, he delivered a speech at Indianapolis on "The Signs of the

Times — The State of Political Parties.” It was a dark hour for the Anti-slavery Cause; but he saw gleams of light around the horizon of the clouded sky, and uttered hopeful prophecies, which subsequent events have confirmed. This speech was extensively circulated in the form of a tract, and did much to sustain the courage and strengthen the hands of the friends of freedom. He seized every opportunity to serve the good cause, whether by public addresses, or wayside conversation. In vain was he denounced, persecuted, and threatened with mob violence; nothing could drive him from the rugged path in which he had chosen to walk, because its end was freedom. In vain was he reminded that he was ruining his prospects in life; nothing could tempt him into the crooked ways of policy. He saw the truth as only honest souls *can* see it, and he defended it as only brave souls *will*. When the mysterious Know Nothing Party suddenly burst upon the public, like an army raised by the touch of a magician’s wand, he at once perceived that the movement was contrary to the genius of our government and subversive of its principles; and he did battle with it accordingly. His Speech at Indianapolis, in 1855, was published by Dr. Bailey in the “National Era,” and “Facts for the People,” and was generally considered the most thorough argumentation of the question. The stand he took on this subject displeased many of his old friends and supporters, and greatly increased the popular hostility he had incurred by joining the Anti-slavery movement. A comparatively small band of freedom, however, adhered to him, and it pretty soon became evident that he was destined to outlive his unpopularity. When the fluctuations of political parties began, in 1856, to tend toward a new form under the name of the National Republican Party, he was chosen a Vice-President of its first Convention at Pittsburg, and Chairman of the Committee of Organization.



But, while politicians considered him an impracticable man, as they invariably do consider every man who will not bend his principles to party policy, his honest, straightforward, daring course commended him to the respect and confidence of the people ; and in the face of very formidable opposition, he was elected to Congress in 1860 by an overwhelming vote ; and reëlected during four successive terms. Those ten years in Congress bear record of Herculean labor, and unremitting watchfulness over the true interests of the country. He was prominent and active in all the salutary measures connected with the War of the Rebellion. Though he had great respect for President Lincoln, and approved of his administration in the main, he failed not to rebuke that unnecessary timidity and delay on the part of the government, which so greatly increased the expenditure of lives and treasure. Many considered it impolitic to find any fault, lest political opponents should make use of it to their own advantage ; but he conceived that the people, in making him their public servant, had placed him on the watch-tower, and that it was his duty to perform the part of a faithful sentinel. He urged the emancipation of the slaves long before it took place, and, in fact, from the beginning of the struggle ; he argued in favor of arming the negroes of the South, as an act of justice as well as of military necessity ; he maintained that it was a duty to confiscate the lands of rebels, as a measure of war, and also to furnish homesteads for the soldiers and sailors of the United States ; he earnestly demanded the punishment of rebel leaders ; he labored for the safe reconstruction of Rebel States ; he zealously advocated all the amendments to the Constitution for securing universal freedom and equality of civil rights ; and he was the first of our public men to demand suffrage for the emancipated slaves.

But while the pro-slavery army, at every change of base, and in all manner of disguises, found him always

wide awake, with lance in rest, ready to meet their onset, and proclaim their deceptions, he was very far from confining his attention to that range of subjects. He was indeed "a man of one idea;" but only in the sense that his one idea was to stand by *all* right principles, whether his advocacy of them seemed likely, or not, to advance his own interests, or those of his party. He was the first and foremost in advocating the Homestead Policy, which grants homes to poor settlers on the public domain. And subsequently, when the rights and privileges of the Homestead Bill were endangered by the schemes of land-speculators, he originated his well-known Bill forbidding the further sale of agricultural lands, except in small allotments, and to actual settlers. He vindicated this policy in very able and convincing speeches, and the House voted, nearly two to one, in favor of the proposed measure near the close of the Forty-first Congress. He also lifted up his voice against mammoth grants of land to railroad companies; thereby enabling them to keep large tracts unsettled while they wait to enrich themselves by advance of prices. It is not easy to exaggerate the importance of guarding this country against land monopoly, which has kept the masses in Europe hopelessly poor. It is both kind and politic to facilitate to the utmost the settlement and cultivation of the broad acres of our public domain; for labor constitutes the true wealth of a nation, and one industrious settler is more honorable and useful to the country, than a dozen adventurers who have made themselves millionaires by monopoly. The increase of small farms and comfortable homesteads improves the character of a people, and is far more conducive to national prosperity than ingots of silver and nuggets of gold, the seeking and finding of which inevitably produces deterioration of character; and every process to grow rich suddenly, without labor, has the same results. Mr. Julian deserves our gratitude as a public

benefactor for his unwearied exertions to warn the people against land monopoly, to check wastefulness in the disposal of the public domain, and to secure the distribution of it into small farms.

The United States, in the year 1850, granted to the States the swamp and overflowed lands within their borders, and the vigilant eyes of Mr. Julian discovered that great frauds on the rights of the people were being perpetrated under cover of those grants. He accordingly introduced a Bill defining Swamp and Overflowed Lands, the passage of which would save millions of acres for honest settlers. This Bill likewise received a large majority of votes in the House in the Forty-first Congress.

The rich Mineral Lands of the United States also received a share of his attention. He objected to their being reserved from sale, and deprecated the system of leasing them, or the policy of abandoning them to settlers without law, as unwise in an economical point of view, and productive of deleterious moral effects; and the reform which he ably urged on this subject has already been partially carried out.

The interests of Labor and the Resumption of Specie Payments have also been earnestly pleaded for by him. On all these subjects, and various others, he has introduced important measures, and sustained them with speeches more or less elaborate. These are all marked by strong good sense, forcible and well-arranged arguments, habitual independence of thought, a high standard of moral rectitude, and not unfrequently by eloquence of style. Some of them have been justly ranked among the best utterances in the Congress of the United States.

Among his other good services, it would be ungrateful in me to omit that he has introduced and advocated a proposition to grant the Right of Suffrage to Women in the District of Columbia, and in the Territories of the United States; and that he has been outspoken in favor



of a Sixteenth Amendment to the Constitution, first proposed by himself in the Fortieth Congress, for the purpose of securing to women all the civil rights enjoyed by other citizens.

In addition to the great labor involved in the careful preparation of so many speeches, Mr. Julian was ten years a member of the House Committee on Public Lands, and eight years the Chairman of it. During four years he was a member of the important Joint Committee of both Houses on the Conduct of the War. For two years he was a member of the House Committee on Reconstruction; and he was also one of the Committee that prepared articles of impeachment against President Johnson.

This brief outline may serve to give an idea of his unremitting industry, and of the enlightened patriotism which kept such vigilant watch over the interests of the country, in all directions. Next to his powerful aid in the extermination of Slavery, I think we owe him most for his exertions, in various forms, to establish and promote the Homestead Policy, and to keep the Public Lands out of the clutches of speculators and monopolists. But his efforts in that direction of course raised up a host of enemies among the legions who seek to acquire wealth at the expense of the United States. In 1870, the forces against him were marshaled with so much skill, that he again lost his election; a result to be deeply regretted at this period, when political corruption spreads so widely, and honesty is comparatively rare.

In private life, Mr. Julian has the universal reputation of being most exemplary. He has been twice married, and in both cases is said to have had the good fortune to become united with a sensible, conscientious, and energetic woman. In 1845 he married Miss Anne E. Finch, of Indiana, who died in the year 1860; and in 1863 he married Miss Laura Giddings, of Ohio. She is the daughter of the able and heroic Joshua R. Giddings, to whom the

country owes an everlasting debt of gratitude for his powerful and persistent battling with the Slave Power in Congress through many a stormy year. The State of Ohio would have done herself honor if she had kept that brave veteran in Congress as long as he had a voice to speak or vote. Mrs. Julian, being "Brutus' wife and Cato's daughter," may well be stronger than her sex, "being so fathered and so husbanded." John Stuart Mill acquired faith in woman's capacity for public affairs by the intelligent sympathy and coöperation of his remarkable wife in the advancement of all the great principles that interested his own mind. Perhaps Mr. Julian may be under similar obligations to his fortunate experience in matrimony. On most of the great questions of the day he has been in advance of public opinion; and his announcement of principles for which he contended against powerful odds, seems like the voice of prophecy when read in connection with the ultimate triumph of those principles. It will be the same with the great principle of the perfect equality of the sexes, which he espoused many years ago, and now advocates so earnestly with a minority.

Mr. Julian is eminently Western in his character: frank and fearless, prompt and decided; loyal in his attachments, but ready to thrust at friends or foes, if they place themselves in a position to impede the progress of Truth and Freedom. He seems to have chosen for his motto: "First be sure you are right, then go ahead." And he has gone ahead, like a steam-engine, and drawn many cars full after him.

It has been said of John Bright of England that during thirty or forty years of public life, he has never swerved from the straight line on which he started; that his principles have known no change, except the greater development and perfection which result from experience; and that events were continually proving his foresight and corroborating his opinions. I know of no public

man in this country, except the Hon. Charles Sumner, to whom this remark can be so justly applied as to the Hon. George W. Julian. His speeches furnish proof of this. They reflect credit on our National Legislature, and form a valuable record of an important transition state in the history of the Republic.





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# SPEECHES.

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## THE SLAVERY QUESTION.

HOUSE OF REPRESENTATIVES, MAY 14, 1850, IN COMMITTEE OF THE  
WHOLE ON THE STATE OF THE UNION.

[This speech, like the one which follows it, will vividly recall the anti-slavery crisis of 1850, and the shameful surrender of Congress to the slave power through the famous compromise measures of that year. These measures paved the way for the repeal of the Missouri Compromise, the bloody raid into Kansas, the Dred Scott decision, and the final chapter of civil war; and in the light of these results the facts and arguments here so carefully arrayed possess a certain historical interest, while completely vindicating the action of the little party of Independents in the Thirty-first Congress in standing aloof from the Whig and Democratic organizations, and warning the country against further submission to their rule.]

MR. CHAIRMAN, — Representing, as I do, one of the strongest anti-slavery districts in the Union, I feel called upon to express, as nearly as may be, the views and feelings of my constituents, in reference to the exciting and painfully interesting question of slavery. I am not vain enough to suppose that anything I may say will influence the action of this committee; yet I should hereafter reproach myself were I to sit here day after day, and week after week, till the close of the session, listening to the monstrous heresies, and I am tempted to say the impudent bluster, of Southern gentlemen, without confronting them on this floor with a becoming protest in the name of the people I have the honor to represent. Sir, what is the language with which these gentlemen have greeted our ears for some months past? The gentleman from North Carolina [Mr. CLINGMAN] tells us, that less pauperism and crime abound in the South than in the North, and that there never has existed a higher state of civilization than is now exhibited by the slaveholding States of this Union; and so in love is he with his “*peculiar institution*,” which thus promotes the growth of civilization by turning three millions of human beings into savages, and prevents them from becoming paupers by converting

them into brutes, that he gives out the threat, doubtless in behalf of his Southern friends, that unless they are permitted, under national sanction, to extend their accursed system over the virgin soil of our Territories, they will block the wheels of government, revolutionize the forms of legislation, and involve this nation in the horrors of civil war. Nay, he goes farther, and anticipating the triumph of Northern arms, and comparing the vanquished "chivalry" to the Spartans at Thermopylæ, he kindly furnishes the future historian with the epitaph which is to tell posterity the sad story of slaveholding valor: "*Here lived and died as noble a race as the sun ever shone upon,*" — fighting (he should have added) for the extension and perpetuation of human bondage!

The gentleman from Mississippi [Mr. BROWN] manifests an equal devotion to the controlling interest of the South. He declares that he regards slavery "as a great moral, social, political, and *religious* blessing, — a blessing to the slave and a blessing to the master." The celebrated John Wesley was so "fanatical" as to declare that "slavery is the sum of all villainies." Had he lived in this enlightened age and Christian land, he would have learned that, on the contrary, it is the sum of all blessings. He would have been told that even the Bible sanctions it as a Divine institution. Southern gentlemen remind us that it "existed in the tents of the Patriarchs, and in the households of His own chosen people;" that "it was established by decree of Almighty God," and "is sanctioned in the Bible — in both Testaments — from Genesis to Revelation;"<sup>1</sup> and so sacredly is it to be cherished, that we in the North are not allowed to give utterance to our deepest moral convictions respecting it. My friend from Mississippi graciously admits that we think slavery an evil; but he adds, "Very well, think so; but *keep your thoughts to yourselves.*" Thus, in the imperative mood and characteristic style of a slave-driver are we to be silenced. In this "freest nation on earth," our thoughts must be suppressed by this slaveholding inquisition. We must, I suppose, make a bonfire of the writings of Whittier, and expurgate our best literature. Indeed, to be consistent, and in order to eradicate every trace of "fanaticism" from the minds of the people, we must blot out the history of the American Revolution, and "keep our liberty a secret," lest we should give offense to the immaculate institution of the South. Of other institutions of society we may speak with the utmost freedom. We may talk of Northern labor and Northern pauperism. We may advocate with

<sup>1</sup> Jefferson Davis.

tongue and pen the most radical schemes of reform, and thus assail every existing feature of our civilization. We may discourse freely of things even the most sacred, as the Supreme Being, his attributes, and Providence — yes, in this boasted land of free speech, we may deny his existence, or blaspheme his name by invoking his sanction of the most heaven-daring crimes ; but *American slavery* is an institution so precious, so beneficent, so exalted among the ordinances of God, so “ sanctioned and *sanctified* by the legislation of two hundred years,” that Northern men are not permitted to breathe an honest whisper against it. We must hold our tongues and seal our lips before the majesty of this Southern Moloch, lest he should lose some of the victims which otherwise his worshippers might sacrifice upon his blood-stained altar. O, the devouring loveliness, the enrapturing beauties, the unspeakable beatitudes of the “ patriarchal institution ! ” And what a blessed thing it must be to live in the pure atmosphere and under the clear sky of the South, feasting upon philosophy and reason, far removed from the folly and “ fanaticism ” of the North !

And the gentleman from Mississippi, like his friend from North Carolina, is in favor of extending the blessings of slavery at all hazards. The South *will* not submit to be girdled round by free soil ; and if we dare to thwart her purpose, we are reminded of the struggle of our fathers against British tyranny. Southern gentlemen point us to the battle-fields of our Revolution, and bid us beware. A Northern man, especially if disposed to be “ fanatical,” would suppose that our Southern brethren would avoid such allusions. Our fathers, it is true, resisted the aggressions of the mother country “ at all hazards, and to the last extremity ; ” but their resistance was not in behalf of slavery, but freedom. Mr. Madison declared, in 1783, that “ it was the boast and pride of America that the rights for which she contended were the rights of human nature.” And Mr. Jefferson said, that “ one hour ” of this American slavery, which has been so recently transfigured into all blessedness, “ is fraught with more misery than ages of that which we rose in rebellion to oppose.” In speaking of an apprehended struggle of the blacks to rid themselves of their bondage, he affirmed that “ the Almighty has no attribute which can take sides with us in such a contest.” Yet Southern gentlemen appeal to our revolutionary history as a warning to us, and a justification of a war on their part, not for the establishment, but for the subversion of liberty, and the destruction of “ the rights of human nature,” by the indefinite extension over free lands of that

system of bondage which the very soul of Jefferson abhorred. All this, to Northern men, seems strange. As a specimen of Southern philosophy it may be very creditable to politicians from that quarter, and it may appeal powerfully to their patriotism, but we cannot comprehend it. Nothing short of the serene understanding and unclouded vision of a slaveholder can fathom such arguments in defense of the South.

The gentleman from Virginia [Mr. MORTON] makes war upon the ballot-box. He says it has become "sectional;" and a distinguished gentleman in the other end of the Capitol, after charging it with being the parent of the anti-slavery agitation and its apprehended disasters to the country, pronounces it "worse than Pandora's box." We in the North have been taught that a constitutional majority should rule. We believe this principle lies at the foundation of our free system of government. We have been so "fanatical" as to regard the ballot-box as the palladium of our liberty. But our slaveholding brethren have discovered that this supposed safeguard of freedom is, in fact, an engine of mischief. It is the dreaded instrument by which this Union is to be broken into fragments. How we should get along in a Democratic government without it, I am not able to explain; and I regret that Southern gentlemen, whose minds are free from any "fanatical" influence, have not seen fit to enlighten us on that subject.

The gentleman from Georgia [Mr. WELLBORN] assails the dogma that "men are created equal;" he styles it "a mystical postulate," although our fathers regarded it as a self-evident truth. They, I suppose, lived in the twilight of political wisdom; for, since I have had the honor to occupy a seat on this floor, I have on more occasions than one heard Southern gentlemen denounce Jefferson as a sophist, and the Declaration of Independence as a humbug. And some of these gentlemen, strange to tell, coolly style themselves *Democrats*! Why, we are told that so far from being created equal, men are not created at all. Adam alone was a *created* man. Neither are men born. Infants are born, and grow up to the estate of manhood; but men are neither born nor created. The equality of men is declared to be absurd for other reasons. Some men, we are told, are taller than others, some of a fairer complexion, some more richly endowed with intellect; as if the author of the Declaration of Independence had meant to affirm that men are equal in respect to their physical or intellectual peculiarities!

Mr. Chairman, I will speak seriously. I need not further



multiply these examples of Southern opinion and feeling. I have brought them forward because, while the cry of "Northern fanaticism" is incessantly ringing in our ears, I desire the country to judge whether a much larger share of fanaticism does not exist in the Southern States; and whether this slaveholding fanaticism is not infinitely less excusable than that which prevails in the North. Sir, I can respect the man who, under the impulse of philanthropy or patriotism, deals his ill-judged blows at an institution which is crushing the dearest rights of millions, and now seeks at all hazards to curse new regions with its presence; but it is difficult to respect the slaveholder, who, with his foot upon the neck of his brother, sits down with his Bible in one hand and his metaphysics in the other, to argue with me, that the truths of the Declaration of Independence are mere sophisms, and that the forcible stripping of three millions of human beings of all their rights, even their humanity itself, receives the sanction of the Almighty, and is a blessing to both tyrant and slave. This is a species of fanaticism above all others the most distasteful, the most preposterous, the most revolting. I will not undertake to combat these absurdities of its champions; for it has been said truly, that to argue with men who have renounced the use and authority of reason, and whose philosophy consists in holding humanity in contempt, is like administering medicine to the dead, or endeavoring to convert an atheist by Scripture.

Mr. Chairman, we hear much of Northern and Southern aggression. Nothing is more current in Southern speeches and newspapers than the charge, that the people of the free States are *aggressing* upon the rights of the South; and this Union, it seems, is to be dissolved, unless these aggressions shall cease. On the other hand, the people of the free States charge the South with being the aggressor, and plead not guilty to the indictment of the slaveholders. Now, how stands the case? Who *is* the aggressor? This is the question to be solved, and the one I propose mainly to examine. I wish to do this fairly and dispassionately; for I am fully aware of the differences of opinion which prevail in regard to it, resulting, perhaps necessarily, from the different circumstances of the parties.

The charge of Northern aggression I certainly deny. It has no just foundation. Neither is the charge of Southern aggression, perhaps, fully and strictly true. The truth rather seems to be, that under the lead of Southern counsels, both sections of the Union have united in enlarging and aggrandizing the slave power. This proposition I shall endeavor to establish.

What are these Northern aggressions of which we have heard so much complaint? Of what hostile acts do they consist? Have the people of the free States attempted to interfere, by law, with slavery in the South? This charge, I am aware, is frequently brought against us. You can scarcely open a newspaper from that quarter in which it is not gravely made. It has been again and again denied by Northern men on this floor, but Southern gentlemen still continue to repeat it. Sometimes it is preferred against the people of the North generally, but more frequently against a comparatively small portion of them, as the Free Soil party. The charge is utterly unfounded in truth. The Whigs and Democrats of the North, as well as the Free Soil men, disclaim all right on the part of Congress to touch the institution of slavery where it exists. We all agree that the subject is beyond our control. As regards the naked question of constitutional power, Congress has no more right to abolish slavery in South Carolina, than it has to abolish free schools in Massachusetts, — no more right to *support* slavery in one State than in the other. It is an institution dependent wholly upon State law, with which the General Government has no more concern than with slavery in Russia or Austria. It is true, that some of us in the North claim the right to assault slavery with moral weapons, even in the States. When the slaveholder says to us that on this subject we must keep our thoughts to ourselves, we shall obey him if it suits us. We have a right to employ those moral forces by which reforms of every kind are carried forward. We understand the power of opinion. We believe, in the language of Dr. Channing, that “opinion is stronger than kings, mobs, lynch-laws, or any other laws for the suppression of thought and speech;” and that, “whoever spreads through his circle, be that circle wide or narrow, just opinions and views respecting slavery, hastens its fall.” Sir, it is not only our right, but our duty, to give utterance to our cherished moral convictions; and if slavery, rooted as it is in the institutions and opinions of the South, cannot brave the growing disapprobation of Christendom, let it perish. And it will perish. If by “reënacting the law of God,” we can prevent its extension, the South will be constrained to adopt some plan of gradual emancipation. She will realize forcibly the important fact, which she now endeavors to overlook, that truth, justice, humanity, and the spirit of the age, are all leagued against her system. I will not harbor the impious thought that an institution, so freighted with wretchedness and woe, is to be perpetuated under the providence of God. I cannot adopt

a principle that would dethrone the Almighty, and make Satan the governor of the moral world. It is "the fool" who "hath said in his heart there is no God." Nor do we mean to be silenced by the hackneyed argument that slavery is a *civil* institution, and therefore none of our business. We deny that the public laws of a community can sanctify oppression, or stifle the expression of our sympathy for the oppressed. Your slavery, when intrenched behind your institutions, is still slavery; and although your laws may uphold it, they cannot repeal that Christian law which teaches the universal brotherhood of our race. But while I thus frankly avow these sentiments, I repeat what I have already said, that the people of the North claim no right, through the action of the General Government, to interfere with slavery in the slaveholding States. We most emphatically disavow any such purpose. Are we, then, guilty of aggression upon the rights of the slaveholder?

We are charged with violating the clause in the Federal Constitution relative to fugitives from labor. This is among the gravest accusations preferred against us. Sir, this clause, and the act of Congress made in pursuance of it, have been elaborately argued and solemnly adjudicated in the highest court in the nation. Our duty in the free States has been made so plain that a child may understand it. I would not refer to this subject, which has been so often discussed on this floor, and repeat what has been so often said, were it not for the unending clamor of the South against us. We are driven to a repetition of the grounds of our defense. We say the slave-hunter may come upon our soil in pursuit of his fugitive, and take him if he is able, either with or without warrant, and we are not allowed to interfere in the race. "Hands off" is our covenant, and the whole of it. If the owner sees fit to sue out a warrant, he must go before a United States officer with his complaint. It is not the duty of our State magistrates to aid him, the execution of the clause in question depending exclusively upon federal authority. I think I state fairly the opinion of the Supreme Court in the case of *Prigg vs. the State of Pennsylvania*. Now, if Congress alone can provide for the execution of this clause through federal jurisdiction, and the State magistrates of the North are under no obligations to interfere, is it a violation of the constitutional rights of the South for us to pass laws prohibiting such interference? I would like to have Southern gentlemen answer this question; for I insist upon it, that if the Federal Constitution does not *require* us to assist in the recapture of fugitives, it cannot be an aggression upon Southern rights to withhold such

assistance, and thus maintain the position of neutrality, or non-action, assigned us by the Constitution. Can it be that the Northern States have any other duties to perform than those which the Constitution itself imposes? Is slavery so endeared to us that we must *volunteer* in its support? Sir, in examining this question, the constitutional rights of the South, and the corresponding constitutional obligations of the North, are the only legitimate matters of consideration. No free State has as yet passed any laws discharging fugitives from the service they owe by the laws of other States, or preventing their recapture; and if this is not done, there can be no reasonable ground of complaint against the North. According to the decision alluded to, the fugitive may be recaptured without warrant, and, without any trial of his rights by jury or otherwise, carried into slavery. This manifestly exposes the colored people of the free States to the Southern kidnapper. They have the right, which belongs to all communities, to guard the liberties of their own citizens; and if, for this purpose, some of them have passed laws against the kidnapping of free persons as slaves, and providing a trial by jury to determine the question whether the party claimed is or is not a slave, is it an aggression upon Southern rights? When the free colored citizens of the North visit the ports of South Carolina, they are thrown into prison, and sometimes even sold into slavery. This, if I mistake not, is justified by the South on the ground of a necessary police regulation. Have not the Northern States a right to establish *their* police regulations, to secure the rights of *their* citizens? Are not police regulations in behalf of liberty as justifiable as police regulations in behalf of slavery?

As regards the enticement of slaves from their masters, the number of such cases is small. Neither the States, nor the mass of their citizens, are accountable, or have any connection whatever with such transactions. The great majority of escapes are prompted by other causes than Northern interference. The slave has the power of locomotion, and the instinct to be free; and it would indeed be wonderful did he not, of his own will and by his own efforts, struggle for the prize of which he has been robbed. That men will strive to better their condition is a law of nature. The flight of the bondman is a necessary consequence of the oppression under which he groans. Blame not the North for this, but blame your diabolical system, which impiously tramples under foot the God-given rights of men. Upbraid Nature, for she is always "agitating" the question of slavery, and persuading its victims to



flee. You hold three millions of your fellow-beings as chattels. You shut out from them the light of the Bible, and degrade and brutalize them to the extent of your power, for your system requires it. You trample under foot their marriage contracts, and spread licentiousness over half the States of the Union. You deny them that principle of eternal justice, a fair day's wages for a fair day's work. You sunder their dearest relations, separating at your will husbands and wives, parents and children. And do you suppose the poor slave, smarting under these wrongs, will not seek deliverance by flight? And when, through peril and starvation, he finds his way among us, panting for that liberty for which our fathers poured out their blood, do you imagine we shall drop our work and join in the chase with his Christless pursuers? Sir, there is no power on earth that can induce us thus to take sides with the oppressor. Such, I rejoice to believe, is the public sentiment of the North, that I care not what laws Congress may enact, the slave-hunter will find himself unaided. The free States will observe faithfully the compromises of the Constitution. They will give up their soil as a hunting-ground for the slaveholder, suspending their sovereignty that he may give free chase to his fugitive. They will pass no law to discharge him from the service he may legally owe to his claimant, or to hinder his recapture. But we *will* not actively coöperate against the unhappy victim of your tyranny. And if Southern gentlemen mean to insist upon such active coöperation on our part, as a condition of their continuing in the Union, they may as well, in my judgment, begin to look about them for some way of getting out of it on the best terms they can. Under no circumstances, I trust, will we yield to their demand.

Another intolerable aggression with which the North is charged is that of scattering incendiary publications in the South, designed to incite insurrections among the slaves. The *Southern* gentleman from Pennsylvania [Mr. Ross] has paraded this charge in the most hideous colors. My friend from North Carolina has also been quite graphic in setting it forth, declaring that the free States "keep up and foster in their bosoms Abolition societies, whose main purpose is to scatter firebrands throughout the South, to incite servile insurrections, and stimulate by licentious pictures our negroes to invade the persons of our white women." Sir, this is a serious accusation, and if true, the South unquestionably has a right to complain. I will not charge the gentleman with fabricating it, but I regret that he did not produce the evidence on which he felt

authorized to make it. I deny the charge. I deny that the free States "keep up and foster in their bosoms Abolition societies," for any purpose. The Abolition societies, now known as such, belong to what is called the Garrison School. They are voluntary associations of men and women, the Northern States being no more responsible for their doings than the Southern States. Unlike all other parties in the North, they lay down their platform outside of the Constitution, and hold that the freedom of the black race can only be accomplished by its overthrow; but they rely upon moral force alone for the triumph of their cause. I deny that they are guilty of inciting, or of wishing to incite servile insurrections, or of scattering firebrands among the slaves, or licentious pictures. These Abolitionists are generally the friends of peace, non-resistants, the enemies of violence and blood; and they would regret as much as any people in the Union to see a servile war set on foot by the millions in the land of slavery. I will add further, while dissenting entirely from their constitutional doctrines, that they have among them some of the purest and most gifted men in the nation. But is the charge meant for the Free Soil party of the North? Are they the incendiaries complained of, and their doctrines the firebrands which have been scattered in the South? We hold that Congress should abolish slavery in this District, prevent its extension beyond its present limits, refuse the admission of any more slave States, and that the government should relieve itself from all responsibility for the existence or support of slavery where it has the constitutional power thus to relieve itself, leaving it a State institution, dependent upon State law exclusively. We are for non-intervention in its true sense. Such is our creed, and we proclaim it North and South. If it is incendiary, then are we guilty, for our newspapers circulate in the slaveholding States. If our faith is a firebrand, we have scattered it, not among your slaves, who are unable to read, but among their owners. Acting within the Constitution, and resolving not to go beyond its granted powers, we mean to avail ourselves of a free press to disseminate our views far and wide. If truth is incendiary, we shall still proclaim it; if our constitutional acts are firebrands, we shall nevertheless do our duty. Sir, this charge has been conceived in the diseased brain of the slaveholder, or the sickly conscience of the doughface. I reiterate my denial that any party in the free States has labored to bring about a war between the two races in the South. I am aware that we have our ultra men among us, nor do I pretend to justify all they have done. They must answer for themselves, and can-

not involve the *North* in their responsibility. But there is no party in the free States that harbors any such purpose, or that would not shudder at the contemplation of so merciless and heart-appalling a project.

Passing over the subject of slavery in this District, which I shall notice in a different connection, I come now to the Wilmot Proviso. This would seem to be the sum of all wrongs and outrages — the aggression of aggressions, — the monster that, if not at once throttled and destroyed, is to rend the Union asunder. Let us once more look it in the face, take its dimensions, and contemplate its supposed power of mischief. This Wilmot Proviso has been much discussed in Congress and throughout the country; it might be thought, by this time, a stale topic; yet it is far from being an uninteresting one, as the continual discussion of it here evinces. Endeavoring as much as possible to lay aside passion, I would say to Southern gentlemen, “Let us reason together.” Suppose this alarming measure should pass both houses of Congress, and receive the Executive sanction, I ask wherein would consist the aggression upon the guaranteed rights of the South? Would not every slave State still retain its sovereignty over its peculiar institution? Would not the rights of the master, as sanctioned by local law, remain unimpaired? Look next at the constitutional compromises. The free States bound themselves to allow you to pursue your fugitives upon their soil. Would the adoption of the proviso affect, in the smallest degree, this right? We agreed that you might carry on — or, if you please, that we would join you in carrying on — the slave-trade, for twenty years. We faithfully lived up to this compromise; and there is, long since, an end of it. Of course, the proviso can have nothing to do with it. Lastly, it was stipulated that every five of your slaves, for the purposes of taxation and representation, should be counted equal to three of our citizens. Most obviously, the passage of the proviso would not invalidate the rights of the South growing out of this compromise. The old slave States, and those subsequently admitted, would retain all the advantages of the original bargain. Now, I maintain that these subjects of taxation, representation, and the recovery of fugitives, are the only matters touching which Congress can constitutionally legislate in favor of slavery. So far, I admit, our fathers compromised the freedom of the black race, and involved the free States in the political obligation to uphold slavery. Beyond these express compromises, they did not go nor design to go. They yielded thus much to the South, under the



impelling desire for union, believing that the powers of the government, with the exceptions expressly made, would be "actively and perpetually exerted on the side of freedom," and that slavery would gradually cease to exist in the country. I do not speak of this as matter of conjecture. As early as 1774, Mr. Jefferson declared that "the abolition of domestic slavery is the greatest object of desire in these colonies;" and the opinion was then common throughout the country that this object could be attained by discontinuing the importation of slaves from abroad. The action of the memorable Congress of this year, and popular movements in all the colonies, about this time, evinced a very decided determination to carry into practice this non-importation policy. This, I presume, will be denied by no one. Our revolutionary struggle commenced soon afterwards; and, basing its justification upon the inalienable rights of man, it could not fail to give an impulse to the spirit of liberty favorable to the abolition of slavery in the colonies. After the war was over, Mr. Jefferson himself declared that such had been its tendency. Indeed, our fathers could not avoid seeing that slavery was practically at war with the Declaration of Independence, and their own example in resisting the tyranny of Britain. In 1787 the Federal Constitution was framed, and it is a noteworthy fact, that the word *slave* is not to be found in it. According to Mr. Madison, this word was studiously omitted, to avoid the appearance of a sanction, by the Federal Government, of the idea "that there could be property in man." This circumstance, it seems to me, is very significant. The Constitution is so guardedly framed, that, were slavery at any moment to cease to exist, scarcely a clause or a word would require to be changed. Who does not see in this, that whilst our fathers were framing a constitution that was to last for ages, the idea stood out palpably before their minds that the days of slavery were numbered? Be it remembered, too, that at the time the Constitution was adopted, slavery had already been abolished, or measures had been taken for its abolition, in seven of the thirteen colonies; and at the very time the convention which formed the Constitution was in session, maturing its provisions, the Congress of the Confederation was sitting at New York, enacting the celebrated ordinance by which territory enough for five large States was forever consecrated to freedom. Every inch of soil which the government then owned was, by this ordinance, made free, and a preponderance secured in favor of the North of twelve non-slaveholding to only six slaveholding States. Thus we see, that



at the time the government was about to enter upon its career, and to exemplify the spirit of its founders, slavery was a receding power, a decaying interest, a perishing institution. Not chains and stripes, but *freedom*, was the dominant idea, the great thought of our fathers. They would have been astounded at the suggestion that slavery was to be perpetuated in this country, as the source of all blessings, and lauded as "the corner-stone of our republican edifice." It was among them, and had been forced upon them by the mother country; and not being able immediately to get rid of it, it was to be *tolerated*, and *endured*, till measures could be taken for its final extirpation from the land. And if they regarded it as a curse, and did not expect it to be perpetuated where it then existed, much less did they imagine that it was to be carried into new regions under the sanction of the government of their formation, and become the great central power and all-absorbing interest of the nation. Sir, the thought is monstrous, that the Northern States, when reluctantly agreeing to those compromises by which slavery received a qualified support in the old States, intended that those compromises should afterwards be indefinitely extended over the American Continent. Let it be borne in mind, also, as corroborating the view under consideration, that the founders of our government had no expectation that the boundaries of the United States, as established by the Treaty of 1783, would ever be enlarged. There is not one syllable of evidence, either in the Constitution itself, or the history of its formation, to justify the idea that the acquisition of foreign territory was contemplated. This has been admitted by distinguished Southern gentlemen in this hall, and in the other end of the Capitol. Mr. Jefferson seems to have entertained this view; for he questioned the power of the nation to annex foreign territory without an amendment of the Constitution. I deduce from this the obvious and inevitable conclusion, that the Constitution was made *for the United States as then bounded*, and that the compromises on the subject of slavery, to which the Northern States assented, had reference alone to the slavery of the *then* slaveholding States; the slavery that was dwindling and perishing under the weight of its own acknowledged evils; the slavery that our fathers prevented from spreading into the only territory then belonging to the government; the slavery that was almost universally expected, at no very distant day, to be swept from the Republic. The adoption of the Wilmot Proviso, therefore, would be in harmony with the Constitution, with the views and expectations of the people at the time of its formation, and

with the Declaration of Independence, on which our fathers planted themselves in their struggle against a foreign yoke. It is impossible to escape this conclusion without contradicting the truth of history, and branding the founders of the government as hypocrites, who, after having paraded the rights of man before the world, and achieved their own freedom, deliberately went to work to found an empire of slaves. And yet Southern gentlemen speak of the restriction of slavery as an *aggression* upon their rights ! What makes this charge look still worse is the fact, that the supreme power of legislation by Congress over the Territories of the government has been uniformly exercised from its beginning till the year 1848, and acquiesced in by all its departments. The power in question — that of restricting slavery — was exercised in 1787 ; it was exercised in 1820 ; it was exercised in the passage of the resolutions annexing Texas in 1845, and in its most objectionable form ; and it was again exercised in 1848, with the sanction of a slaveholding President. And still we are told that the passage of the Proviso would be such an intolerable outrage as to justify the dissolution of the Union !

Mr. Chairman, I have now briefly noticed most of the alleged aggressions of the North. The historical facts I have brought forward, bearing upon the question of slavery restriction, have been often presented ; but they cannot be too often repeated, or too carefully remembered, in the present crisis. Sir, it is as true at this day as at any former period of our history, that “a frequent recurrence to first principles is absolutely necessary to preserve the blessings of liberty.”

Turning now to the other side of the picture, I propose to glance at that policy and some of those acts by which slavery, instead of wearing out its life within its original limits, has been transplanted into new regions, fostered by the government as a great national interest, and interwoven with the whole fabric of its policy. I shall make no special complaint about “Southern aggression,” for it will appear, as I have already stated, that the slave power has built itself up by the coöperation or acquiescence of the non-slaveholding States. Nor shall I claim any novelty for the facts I am about to present. They form a part of the history of the country and the public records of the government. Through various channels they have found their way to the people ; yet it may not be entirely a useless labor to gather them together, and endeavor to keep them in remembrance in determining what further concessions shall be made to the demands of slavery.

At the time the Federal Constitution was adopted, the States of North Carolina and Georgia claimed certain territory, which they afterwards ceded or relinquished to the General Government; and out of this territory the three States of Tennessee, Alabama, and Mississippi were formed, and successively admitted into the Union. The compromises by which the Northern States had bound themselves in reference to slavery in the old States, were now stretched over these new ones, containing at present a slave population considerably exceeding that of the entire Union at the time of its formation. I have already shown that such an accession of slaveholding States, thus forcing the North into a further partnership with the curses of slavery, was not contemplated by our fathers. It was accomplished, however, and of course by the aid of Northern votes.

In 1803 we gave fifteen millions of dollars for the Territory of Louisiana, and the three large slave States of Louisiana, Arkansas, and Missouri, were subsequently carved out of it, and from time to time admitted into the Union. They contain a slave population of upwards of three hundred thousand souls. Here, again, the obligation of the free States to support slavery was enlarged, and the fond expectations of our fathers disappointed.

In 1819 we gave five millions of dollars for the Territory of Florida. We did not buy it on account of the value of its lands, or of the added wealth it would bring into the Union, but mainly to strengthen the slaveholding interest. Difficulties were apprehended from the pursuit of fugitives into the territory whilst it continued a Spanish province, and to obviate these difficulties, and at the same time to widen the domain of slavery, the purchase was made. Florida was subsequently admitted, by the help of Northern votes, into full fellowship with Massachusetts and the other free States, whose relations with slavery were thus again extended, in violation of the faith upon which the Union had been consummated.

In 1845 Texas was annexed, containing territory enough for five or six States. That this was a measure "essentially Southern in its character," is placed beyond all doubt by the records of the State Department. It is likewise proved by the declarations of Southern members of Congress in 1844, and by the avowals of the Southern press and of leading men in the South, from the time the question was first agitated till the project was consummated. No man, it seems to me, can read the history of Texas from its first settlement by emigrants from this country, and for one moment

doubt the truth of what I assert. I know it has been said on this floor that the acquisition of Texas was not a Southern measure, but a measure of the National Democratic party. I am aware too that John Quincy Adams declared, in 1845, that it was "in its conception and in its conclusion a Whig measure." With these declarations I have nothing to do. I do not charge any party in the North with favoring annexation with the design of extending slavery. I speak not as a partisan, but as a seeker of facts, bearing upon the alleged charge of Northern aggression; and what I assert is, that while the motive of the South in grasping Texas was unmasked, and was in fact glaringly manifest, the North was induced to come to her rescue, and thus added an empire of slavery to her dominions in the Southwest. Was this a Northern aggression? Nine slaveholding States have been added to the Union since the date of its formation, and five of them out of soil then the property of foreign nations. All this has been *generously* done by the free States, for they have had the strength in every instance to prevent these additions, and this constantly augmenting Southern power.

The facts I have stated are significant. They show that the Northern States, instead of aggressing upon the rights of the South, have aided her in incorporating additional slaveholding States into the Union, whenever such aid has been demanded. But this is not all. Some thirty years ago the States of Kentucky, Tennessee, Alabama, Mississippi, Georgia, North Carolina, Arkansas, and Missouri, were more or less incumbered with an Indian population. The white man and his slave were shut out from large regions of those States by the barriers of the red man, which the States themselves had no power to remove. All these regions are now redeemed from the Indian, and actual slavery extended where it could not go before; and all this has been done by the help of Northern votes; for without that help, the laws could not have been passed, nor the treaties have been ratified, by which this great extension of slavery in so many great States was accomplished.<sup>1</sup> What a commentary upon the charge of Northern aggression!

In 1778 and 1790 the States of Virginia and Maryland ceded to the General Government the territory constituting the District of Columbia, till the late retrocession of the portion ceded by the former. These cessions, under the Constitution, necessarily gave Congress the exclusive power of legislation over the territory ceded, and its inhabitants. Congress accepted these grants, and in 1801 re-enacted the slave codes of Maryland and Virginia, and thus legal-

<sup>1</sup> Benton's late speech.



ized and *nationalized* slavery in this District. Slaves are now held here by virtue of this law, and have been so held for nearly half a century. The free States have always had strength enough in Congress to repeal it, but they have forbore to do so. They have done more ; they have permitted you to carry on, by their sanction, the slave traffic here, which is interdicted by your own slave States. This execrable commerce, which the laws of the civilized world pronounce piracy, punishable with death, and which even the Sultan of Turkey and the Bey of Tunis have put under their ban ; this “piratical warfare,” as Jefferson called it, and which he declared, three quarters of a century ago, to be the “opprobrium of infidel powers ;” this heir of all abominations has existed here for nearly fifty years by *our* permission, — here in the heart of this Model Republic, around the walls of its Capitol, and under the folds of its flag ; here, in the noon of the nineteenth century, and under the full blaze of Christian truth ! And Northern men have not only upheld this traffic thus far, but their forbearance toward the South inclines some of them to uphold it still longer. I doubt if there are *men* enough in Congress to-day to pass a bill through either House for its abolition. And yet, Southern gentlemen talk about the aggressions of the North, and threaten to break up the Union to secure their deliverance from our oppression ! Will they snap asunder the cords that bind us, in *anticipation* of an act of justice ? Suppose Congress should abolish slavery and the slave-trade here ; would such abolition interfere in any way with the constitutional rights of the slaveholding States ? We in the North are upholding these evils in this District ; we are morally and politically responsible for their continuance ; and I say to gentlemen from the South, that if by the exercise of an unquestionable power of Congress we rid ourselves of this responsibility, it is our business, not yours. You have no right to complain, and your clamor in this respect about Northern aggression ought to be regarded as an insult to the free States.

I pass to another topic. Since the formation of the government, if I have rightly calculated, about five hundred thousand dollars have been paid by the United States, either directly or indirectly, for fugitive slaves that have taken shelter among the Creek and Seminole Indians. The most of this sum has been paid to the slaveholders of the State of Georgia alone, and directly from the public treasury.

Have the slave States the right thus to call on the General Government and the common fund of the nation to aid them ? It has

been truly said by an eminent man, himself a slaveholder, that "the existence, continuance, and support of slavery depend exclusively upon the power and authority of the several States in which it is situated." It was not the intention of our fathers, as I have shown, that this government should interfere with slavery in the States, either to strengthen it or to weaken it. It is their own affair ; and if their laws are not strong enough to give it life, it must submit to its doom. When your bondman comes among us in the character of a fugitive, you have the right, guaranteed by the express terms of the Constitution, to carry him again into slavery ; but have no right to call upon us to pay our money for slaves escaping into Canada, Mexico, or among the savages and swamps of a Spanish province. Believing slavery to be a great moral and political evil, we will not go beyond the express letter of our covenant in giving it our support. The Constitution, in the language of Judge McLean, acts upon slaves as persons, and not as property. Congress has uniformly been governed by this principle ; and you might as well call upon us to pay for your runaway mules as your slaves. The action of the treaty-making power has been different. A large number of slaves fled from their masters during our last war with Great Britain ; and for twenty years did this government ply its diplomacy in urging the British Government to pay for these fugitives. The sum of one million two hundred and four thousand dollars was at length obtained and paid to Southern slaveholders. This open espousal of the cause of slavery by the Federal Government seems to have been sanctioned by the free States. It was not the work, exclusively, of Southern men. The policy of our fathers was to discourage slavery, and as far as possible to divorce the government from it. Is the reversal of this policy a Northern aggression ?

Again, in 1831 and 1833, the ships *Comet* and *Encomium*, laden with slaves, were wrecked on British soil ; and the Federal Government, again hoisting its flag over the peculiar institution, obtained from Great Britain twenty-five thousand pounds for slaves lost by these accidents. Similar losses were incurred by the subsequent fate of the *Enterprise*, *Creole*, and *Hermosa*, and the United States threatened Great Britain with war, for refusing to foot these bills of Southern slaveholders. An honorable member of this House was virtually expelled from this hall in 1842, for introducing resolutions denying the constitutional power of the government to support the coastwise slave-trade, and declaring its duty to relieve itself from all action in favor of slavery. The Senate,

not wishing to be outdone by the House, unanimously adopted resolutions declaring it to be the duty of the government to protect by its flag the rights of American slaveholders in British ports, where by the local law their slaves would otherwise become free. Were these aggressions upon Southern rights?

Merely glancing at the unwarranted efforts of the government to obtain pay for fugitives to Canada and Mexico, in 1826 and 1828, I proceed to notice a more remarkable example of Federal intervention in favor of slavery. About twenty-five years ago, when Mexico and Colombia, who had just achieved their independence of Spain, and emancipated their slaves, were threatening to grasp the island of Cuba, our government distinctly intimated to these young republics that they must abandon their purpose. And why? Because emancipation in Cuba might otherwise take place, and the contagion spread in the United States. Thus the Federal Government espoused the cause of slavery in Cuba, in order at the same time to perpetuate it in our own boasted land of freedom. It did the same thing in 1829. Were these acts Northern aggressions? I need scarcely add in this connection, that the main, if not the sole reason, why the United States have refused to acknowledge the independence of Hayti, or to hold intercourse with her, is, that the independence of a black republic might prove dangerous to the perpetuity of American slavery. Thus the people of the North are deprived of the profits which would arise from established commercial relations between the two governments, in order that Southern slavery may be sustained.

In 1807, Congress passed a law regulating the coastwise slave-trade in vessels of over forty tons burden, and prescribing minutely the manifests, forms of entry at the custom-house, and specifications to be made by the masters of such vessels. The North was thus made responsible for a traffic which is piracy by the law of nations; and such has been our forbearance toward the South, that we have made no effort to relieve ourselves of this responsibility. Take another item of Congressional legislation in favor of slavery, — the Act of 1793. This act made it the duty of State magistrates to assist in the recapture of fugitives, and for nearly fifty years the slaveholders had the benefit of it, in the prompt interference of the authorities of the North in behalf of their institution. This act, so far as it imposed duties on State magistrates, was unconstitutional, and has been so decided; but it committed the free States to the support of slavery, and gave important aid to the South during the whole period named. Nor is this all. Most of the free States re-

enacted the substance of this act, as to the duty of State magistrates, and its provisions and penalties respecting the harboring or concealing of fugitives, — thus legislating in favor of slavery, and of course out of a tolerant spirit toward the South. There is no constitutional or moral obligation which required it. It was a bounty, a gratuity, bestowed by the North in token of sympathy for slaveholders; for the recovery of fugitives, and the penalty for obstructing their recapture, are matters of federal cognizance entirely, as I have already shown. Yet these enactments now stand unrepealed on the statute books of several of the Northern States.

In my own State we have a law punishing, by a fine not exceeding five hundred dollars, the harboring of a fugitive slave, as “an offense against the peace and dignity of the State of Indiana.” And this law is not a dead letter. Men are indicted and punished under it. Our courts and juries do not hesitate to regard it. Our Legislature, I know, is exceedingly well disposed toward it; for all attempts to repeal our “black laws” (and some of them are much blacker than this) have thus far signally failed. Is all this legislation of the North in behalf of the slaveholders an aggression upon their rights?

I have already stated that Florida was purchased because it was demanded by the slaveholding interest. I omitted the fact, that under the treaty by which it was acquired, and the laws of Congress enacted to carry it into effect, this government felt itself called upon to pay to the Florida slaveholders forty thousand dollars for slaves lost by the invasion of our troops in 1812. I have also passed over the inhuman slave code by which Florida was governed while a Territory, and which, of course, derived its validity from the sanction of Congress. I next observe that our first Seminole or Florida War received its birth in the jealous vigilance of the Federal Government in behalf of the interests of slavery. It was occasioned by the destruction of a negro fort on the Appalachicola River in 1816, by officers and troops in the service of the United States. About three hundred men, women, and children, were killed. It is true they were mostly fugitives; but they were living peaceably in Spanish territory. Certainly, the government was under no obligation to commit this wholesale murder, merely because the slaveholders of Florida desired it. Yet Congress, in 1839, passed a law by which the sum of five thousand dollars was paid out of the common treasury of the government, to its officers and crew, for blowing up this fort. Was this, too, a Northern aggression?



The second Florida War was likewise waged and carried on for the benefit of slaveholders. Of the necessity for this war at the time the nation saw fit to engage in it, I shall not speak. With its immediate cause or occasion I have nothing to do. I only assert (and this is sufficient for my purpose) that the war had its *origin* in the long-continued previous interference of the Federal Government in favor of the slaveholders of Georgia, Alabama, and Florida. Slaves fled from their masters in Georgia and took refuge among the Creek Indians, as far back as our Revolutionary War. They continued to escape till the formation of the government; and as early as 1790 the United States entered into a treaty with the Creeks, in which they agreed, in consideration of an annuity of fifteen hundred dollars, and certain goods mentioned, to deliver up the negroes then residing in their territory to the officers of the United States. And “during a period of more than thirty years was the influence of the Federal Government exerted for the purpose of obtaining these fugitive slaves, or in extorting from the Indians a compensation for their owners. The Senate was called upon to approve those treaties; Congress was called on to pass laws, and to appropriate money to carry those treaties into effect, and the people of the free States to pay the money and bear the disgrace, in order that slavery may be sustained. But the consequences of these efforts still continue, and the government has, to this day, been unable to extricate itself from the difficulties into which these exertions in behalf of slavery precipitated it.” A large portion of the fugitives from Georgia who fled prior to 1802, intermarried with the Seminoles or southern Creek Indians. The government, by treaty in 1821, compelled the Creeks to pay for these fugitives five or six times their value. The Creeks, supposing they had thus acquired a good title to them from the United States, claimed the wives and children of the Seminoles as their property. The latter, not being willing to part with their families, and being harassed by the demands of the Creeks, agreed, by treaty, in 1832, to remove West, and reunite with the latter tribe; the United States agreeing to have the claim of the Creeks investigated, and to liquidate it in behalf of the Seminoles if the amount did not exceed seven thousand dollars. The Seminoles, however, finally refused to remove West, preferring to remain and fight the whites, rather than hazard the loss of their wives and children by becoming again incorporated with the Creeks. The interests of the Florida slaveholders required that the Seminoles should be *compelled* to emigrate, and the government embarked in the undertaking.

Such is a brief summary of facts connected with the celebrated Florida War, and showing the action of this nation in favor of Southern slaveholders. The war was begun by the United States to drive the Seminoles from their country. They refused to go because the Creeks would rob them of their wives and children in their new home. And the government had by treaty forced these Creeks to pay the slaveholders an exorbitant price for these wives and children of the Seminoles, and thus laid the foundation of the claim which prevented them from removing West, and brought on the war. It was, I repeat, a war for the exclusive benefit of slavery. It was conceived and brought forth in the unjustifiable interference of the Federal Government in favor of an institution local to the States in which it exists, and to which the federal power does not extend. These facts are placed beyond all controversy by the documentary history of the country. And this war for the capture of fugitive slaves, and the massacre of Seminole Indians, with bloodhounds from Cuba as our auxiliaries, cost the nation the estimated sum of forty millions of dollars, drawn chiefly from the pockets of the people of the free States. We united with the South in its prosecution, and, without any common interest in its objects, furnished our full share of the men and money required in the inglorious struggle. Was all this a Northern aggression?

I come next to our war with Mexico. This, so far as the slaveholding States were concerned, was carried on for the acquisition of territory, into which they designed to carry the institution of slavery. History has placed this remarkable fact beyond all cavil. It is proved by the avowals of Southern members of Congress, in their speeches in both houses, in 1847. It is proved by the messages of Southern governors, the action of Southern Legislatures, and the language of the Southern people generally, assembled in their popular meetings, during the prosecution of the war. The motive of the South was not denied; it was palpable and undisguised. Other objects of the war were mentioned, but Southern politicians did not pretend that they were controlling, or that the extension of slavery was not the principle which governed them in its prosecution. But what was the conduct of the free States—the aggressive and overbearing North—in respect to this war? Sir, we gave you our full share of the men and money required for its prosecution. Our Northern members of Congress, generally, united with the South in the acquisition of territory. I do not say they did this for the purpose of extending slavery; but they did it; and when, a few years before, our claim to the whole of Oregon

dwindled down as low as forty-nine degrees — mainly under the influence of Southern counsels, — the North acquiesced. We were willing, both in regard to our difficulty with Great Britain and with Mexico, to be governed somewhat by *national* considerations, whilst the policy of the South in both these cases was determined by her own sectional interests, that is, by the supposed effects which, in the one case or the other, would be produced upon the institution of slavery. In a war with Mexico our armies could not fail to be triumphant, and our booty must necessarily be territory. This would be adapted to slave labor, and would widen the platform of Southern power. On the other hand, the issue of a war with Great Britain would be different. The South would doubtless be the main point of attack; and thus the very existence of slavery in its strongholds would be jeopardized. And should even the whole of Oregon be secured, it would only bring into the Union additional free States; thus adding to the power of the North, instead of the South, as a section. Such, unquestionably, were the considerations which shaped the policy of Southern statesmen, and through them, the policy of the government itself, in our relations with Mexico and Great Britain. The North, as I have already said, acquiesced in both instances. Did this acquiescence manifest an aggressive spirit toward the South?

In the month of May, 1836, this House adopted a resolution, which excluded from being read or considered "*all petitions, memorials, resolutions, and propositions, relating in any way, or to any extent whatever, to the subject of slavery.*" The substance of this resolution continued in force till 1845. Thus, while the government was spreading its flag over the peculiar institution in our intercourse with foreign powers, and whilst slavery in this District and in the Territory of Florida was upheld by the laws of Congress, we were denied the right to mention these grievances on this floor, or to petition for redress. So indulgent and conciliatory were the free States toward the slave power, that a large number of their representatives in Congress united with the slaveholding members in virtually suspending the right of petition and the freedom of speech in this House, for the period of nine years together. Was this a Northern aggression?

In some of the Northern States, colored people enjoy equal political rights with the whites. In nearly all of them they are regarded as citizens. But they cannot visit South Carolina, Louisiana, and I believe some three or four other Southern States, without being thrown into prison; and if they are not removed from the

State by the persons in whose care or employ they came, they are sold into slavery. This is a most palpable violation of the Constitution of the United States, which provides that "the citizens of each State shall be entitled to all the privileges and immunities of citizens of the several States." And when we send men among you to appeal peaceably to your own tribunals in behalf of such citizens, — men honored by their public standing, and clothed with official authority for their mission, they are driven out of your cities by mob menaces at the risk of their lives. Is this, too, a Northern aggression?

I pass, in conclusion, to some kindred considerations.

The slave population of the Union in 1790, when the first census was taken, was about seven hundred thousand; it has now grown to three millions, covering fifteen States, and more than equals the whole voting population of the Union. This, by the way, surely cannot be *Northern* encroachment. The population of the United States in 1840 was seventeen millions. The white population of the South was four millions seven hundred and eighty-two thousand five hundred and twenty. The number of slaveholders does not appear to be capable of any exact ascertainment, and has been variously estimated at from one hundred thousand to three hundred thousand. If we take into the account the actual number of *slave owners*, exclusive of their families, a fair estimate at present would probably be two hundred thousand; and many of these, doubtless, are minors and women. The white population of the free States in 1840 was nine millions six hundred and fifty-four thousand eight hundred and sixty-five. By comparing the slaveholders with the non-slaveholders of the South, according to their number as here estimated, it will appear that the former constitute only about *one twentieth* of the white population of the slaveholding States. This is what we call the slave power. This is the force which is to dissolve the Union, and before which Northern men bow down to offer up their homage. These two hundred thousand slaveholders, composed in part of women and minors, lord it over three millions of slaves; keep in subjection four or five millions of non-slaveholding whites of the South, besides the free blacks; and at the same time control, at their will, from nine to ten millions of people in the free States, whose representatives tremble and turn pale at the impotent threats of their Southern overseers. Now, bearing in mind that the population of the free States is, and generally has been, about double that of the slave States, let us glance at the monopoly which this slave power has secured to itself of the offices



of the government. This may serve further to illustrate the subject of Northern aggression.

Of the sixty-one years the government has been in operation, the Presidency, with its immense power and patronage, has been filled by slaveholders about forty-nine years, and by non-slaveholders only a little more than twelve years. Seven of our Presidents have been slave owners — four not ; and some of these had to give decided assurances to the South in order to be elected. The South has secured the important cabinet offices in the same way. Thus of nineteen Secretaries of State, fourteen have been slaveholders, and only five non-slaveholders. With the exception of the office of Secretary of the Treasury, the South has had more than her share of all the cabinet appointments. The slaveholding States have had the important office of Speaker of this House for more than thirty-eight years, the free States only about twenty-three years. The South has had twelve Speakers, the North only eight. The same inequality has prevailed in the foreign diplomacy of the government. More of our foreign ministers, by about one fourth, have been furnished by the South than the North. Turn to the Judiciary. The Chief Justice has been from the slave States about forty-nine years, and from the free States only twelve years, although much the larger portion of the business of the court originates in the latter. And it is a remarkable fact, that at no period since the formation of the government has the North had a majority on the Supreme Bench. The South has received the appointment of thirteen judges of the court, the North only twelve ; and has, I repeat, always had the majority. Did the time allotted me permit, I might pursue this subject more in detail. It seems, however, unnecessary ; for a distinguished Southern gentleman [MR. MEADE] himself admits, that although the South has been in a numerical minority for fifty years, she “ has *managed* during the greater part of that period to control the destinies of this nation.” What more could she ask ? Why, even now, whilst the cry of Northern aggression continually meets us, the South has a slaveholding President elected by Northern votes, a slaveholding Cabinet, a slaveholding Supreme Court, a slaveholding Speaker of this House, with slaveholding committees in both Houses ; whilst slaveholding influences are unceasingly at work in hushing the anti-slavery agitation, and buying up one after another Northern men, who are as mercenary in heart as they are bankrupt in moral principle. Sir, there is truth in the declaration of John Quincy Adams, that the “ *propagation, preservation, and perpetuation* of slavery is the vital and animating spirit of the National Government.”

Still, Southern gentlemen read us daily homilies here on the encroachments of the North ; and the threat of disunion is the thunder with which, as usual, we are to be driven from our purpose, and frightened into uncomplaining silence. Mr. Chairman, the time has come when representatives from the free States should speak plainly. Shall a blind fear of a dissolution of the Union make us slaves ourselves ? The Federal Constitution was ordained, among other things, to secure the blessings of liberty. “ The hour has come when we are to adopt or reject the degrading principle, that slavery and freedom are twin-sisters of the Constitution, joined in a Siamese union, one and inseparable ; that our fathers fought to build up a prison-house and a palace as the appropriate wings of the temple of liberty ; that in the flag they rallied under, the Stars were for the whites, and the Stripes for the blacks ; that the North is to have leave for a virtuous prosperity only by maintaining the South in a prosperity dependent on oppression and crime.” This is the question forced upon us by the South, and it must be met. There can be no such thing as dodging it. If our view of the Constitution and its objects be correct, we have rights under it which the South should not withhold ; if her view is the true one, and slavery is the great concern of this nation, to be upheld and fostered by all its power, then we should understand it at once. Sir, I entertain no such opinion of the government under which we live. I have shown that our fathers entertained no such opinion. We mean to stand by the Constitution as they understood it. We only ask our constitutional rights. We simply demand a return of the government to its early policy in relation to slavery. I speak frankly. I am willing to submit to wrongs already inflicted ; but if further submission be exacted as the price of the Union, I would say to our Southern friends, take the putrescent corpse of slavery into your embrace, and let your contemplated Southern Confederacy encircle it amid the hisses of the civilized world. During the last summer I told the people I now have the honor to represent that I would rather see the breaking up of the Union than the extension of slavery into our Territories either by the action or permission of the government. I reiterate that declaration here. Sir, this is the proper forum on which the South should be met in the discussion of the question of slavery ; and I despise the skulking and cowardly miscreant who, after having obtained his seat on this floor by his anti-slavery pledges, turns politely to the South and tells her that “ when I want to talk about slavery I will go home among my own constituents, where

I have the right to speak upon it.”<sup>1</sup> Such men have been the curse of the nation. Had Northern politicians resisted the aggressions of the South, as it was their duty to do, in the onset, the unhappy crisis in which the country is now placed would have been averted. The great danger to the Union has always been in the North. The South has been much given to bluster, which in itself is harmless, but Northern men have been frightened by it into servility. Here lies the great peril now. I have no fears that the South will sunder the Union, notwithstanding the madness of her politicians. The sober second thought of her people, underlying the froth of her representatives, will be proof against it. But let Northern men continue a little longer to cower before the threats of slaveholders, instead of meeting them with a manly firmness; let them surrender one after another the rights of the free States, and make merchandise of their honor, until our degradation can no longer be concealed by the devices of politicians, and the dissolution of the Union will be inevitable. The disease in the body politic will have taken such deep root as to be incurable by any other process. He is not the friend, but the real enemy of the Union, who smilingly tells the slaveholders that all is well, and raises the cry of “Peace, peace, when there is no peace.” Sir, the contest between slavery and freedom has ripened. To talk of compromise is folly. That medicine has been tried, and has proved worse than the disease it was designed to cure. It is not within the power of Congress to compromise the moral sentiment of the free States; and any attempt to do so would only madden and increase the existing excitement, and multiply obstacles in the way of any pacific adjustment of the questions in dispute. Between slavery and freedom there is and can be no affinity; nor can all the compromises in the world unite and harmonize what God, by his eternal law, has put asunder.

Mr. Chairman, it has become quite fashionable to denounce the anti-slavery agitation of the North. Gentlemen tell us it is disturbing the peace of the country, dividing the nation into “geographical parties,” and threatening to destroy the Union. Sir, let me ask at whose door lies the blame for all this? What are the causes which have given birth to this agitation, and these so-called sectional parties? The South, as I have already shown, by the help or permission of the North, has controlled the offices of the government and shaped its policy for the last fifty years. Through her agency slavery has been widening its power, and taking deeper

<sup>1</sup> An ex-member of Congress.

and deeper root in the country every hour of that whole period. Instead of an institution barely to be tolerated in a few States, as their own exclusive concern, and that for a time only, it has become *nationalized*, and demands the protection of this government "wherever our flag floats." It has grown to be the great interest of the Union, and subordinates all other questions to its unholy purposes. It has reversed the original policy of the government, disappointed the hopes and expectations of its founders, and to a great extent frustrated the ends of its formation. And when, after long years of unpardonable forbearance, a portion of the Northern people rise up and demand their just rights, refusing to be the *absolute* slaves of the South, they are denounced as "agitators," enemies of the Union, the builders up of geographical parties. Sir, I meet these charges, and I say to Southern gentlemen, that they have *forced* agitation upon us. It is the only alternative left us, unless we submit to be bound by them "in all cases whatsoever." I know it is offensive to the South. I know that distinguished gentlemen from that quarter have admitted that Northern agitation has prevented slavery from obtaining a foothold in California. They understand and dread its power. It is for this reason that I would encourage it. Agitation is a necessary fruit, an inevitable consequence of Southern aggression and Northern cowardice; and slavery propagandists and doughfaces must answer for their own political sins. To charge the friends of freedom in the North with kindling up strife in the land, and thus endangering the Union, is as unjust as to charge the blood shed in our Revolution upon the heads of those who counseled resistance to the mother country. Am I told that we should not wound the pride of the South? Sir, on what occasion has she exhibited any great tenderness for the pride of the North? She has pursued toward us a policy of systematic selfishness from the beginning, uniformly disregarding our most cherished feelings when they have crossed her path. When we ask her respectfully to yield us our rights under the Constitution, we are met with browbeating and threats. And are the interests of freedom to be jeopardized over half a continent, in order to avoid wounding the *pride* of men who thus treat us? Sir, their pride is not worth saving at such a sacrifice. It is not the pride of principle, of justice, but the pride of mere arrogance, pampered into insolence by long indulgence; and under no circumstances would I yield to it. The history of the world demonstrates that slavery, regardless of soil or climate, has existed wherever it has not been interdicted by positive legislation. It



always establishes itself in the first instance without law, and then suborns the law into its support. Without the aid of any legal sanction, it has at one time or another crept into every portion of the earth that has yet been inhabited. No "law of physical geography," no "ordinance of nature," has been found sufficient, independent of human enactments, to prevent its spread over the globe. Every consideration, therefore, demands that Congress should exclude it from our Territories. We should thus imitate the example of our fathers by "reënacting the law of God," and at the same time restore their policy in relation to slavery. The North should demand this as her absolute right, and insist upon it at whatever hazard. Should the South take offense, let her be offended; should her pride be wounded, let her own physicians heal it in their own way; should she see fit to dissolve the Union, let her make the attempt, but let the North yield not a single hair's breadth to the further exactions of the slave power.

But suppose, Mr. Chairman, we resolve to compromise: I ask, what are the terms upon which alone the South is willing to meet us? On this subject we are not left in doubt. We are to allow slavery to continue indefinitely in the District of Columbia; we are to abandon the Territories of the United States to its inroads; we are to engage actively in the business of slave-catching under the employ of our Southern masters; and, finally, we must silence the anti-slavery agitation, obeying their imperious mandate, "Keep your thoughts to yourselves." This is the very modest demand of the South, and we must allow her to make a compliance with it a qualification for political fellowship, a test of fitness for office, and the only tie which is hereafter to bind her to the free States. With Southern politicians this is the question of questions. It towers above every other consideration. *Doughfaces* are found only in the Northern States. The Whigs and Democrats of the South, laying aside minor differences, stand shoulder to shoulder in the maintenance of their great interest. In comparison with it, the questions of bank and tariff are not even respectable abstractions. And shall the North be less loyal to freedom than the South is to slavery? Have we no paramount question? Shall we surrender our political birthright in a quarrel about comparative trifles, or a mere scramble for place and power? We have the strength to repel the further aggressions of slavery. Shall we waste it by our divisions, instead of declaring in one united voice, and with an inflexible purpose, "Thus far; no farther!" I know by experience something of the power of party. I know how

anxious are Northern Whigs and Democrats to maintain their national party organizations, in the discipline of which they have so long served. I know how repugnant it is to their feelings, when the old questions between them are rapidly losing their significance, to have new ones thrust upon them, threatening discord and incurable divisions in their ranks. But should there be no bounds to our devotion to party? Each of the political organizations to which I have alluded consists of a Northern and Southern division, diametrically opposed to each other on the question of slavery. These divisions must be held together by some common bond of union, and this bond is subserviency to the slave interest. This fact can no longer be concealed. The submission of Northern politicians to the behests of slavery is openly proclaimed by Southern gentlemen as the sole condition upon which existing party associations can be maintained. Are we prepared for this submission, to seal this bond of union? We must either do this, or resist like men. The alternatives are presented, and there is no middle ground. We must choose our master; for it is as impossible to serve slavery and freedom at the same time, as to serve God and Mammon. We must ally ourselves to the growing spirit of freedom in the North, which, sooner or later, *must* be heeded, or we must link our political fortunes to the growing spirit of slavery in the South, which, sooner or later, must be borne down by the powers with which it is at war. We must organize our parties in reference to the increasing anti-slavery feeling of fifteen States of the Union, and ten or twelve millions of people, reinforced by the sentiment of the civilized world; or we must turn our backs upon the progress of free principles, in order to propitiate the smiles of an oligarchy of two or three hundred thousand slaveholders. We must sympathize with the spirit of liberty, which is now swelling the heart of Christendom, and causing even despotisms to tremble; or we must hold no communion with that spirit, and spurn it from our thoughts, lest the dealers in human flesh should be offended, and refuse to aid us in the prosecution of our partisan schemes. Such, I repeat, are the alternatives to which our slaveholding brethren have invited our attention. For one, I am ready to choose between them. I will enter into no "covenant with death." I will agree to no truce with slaveholders so long as they insist upon their unholy exactions. I will form no alliance with men who foreordain my submission to their will as the tenure of their friendship. And the party, in my judgment, that shall now seek to maintain its unity by yielding to these demands of slavery,

will dig for itself a political grave from which there will be no resurrection. It may survive for a time ; it may achieve a temporary triumph over its adversary ; but it will array itself in hostility to the rights of man, sacrifice its integrity and moral influence, and thus perish by its own suicidal hand. Sir, I can acknowledge no allegiance to any such party. Its conventions and caucus arrangements have no power over my action. Not servility to the South, but uncompromising resistance to her further encroachments, must determine my party associations. This, I have already said, is the paramount question, upon which all the parties of the North should band themselves together as one man. Most of the questions which have heretofore divided the American people have been settled. Is there any issue now on the subject of a United States Bank ? Experience has shown that this nation can prosper without such an institution. It is not demanded by the voice of the people nor the exigencies of the government. Years ago, it was declared by the highest Whig authority to be an "obsolete idea." Is there any issue as to distributing the proceeds of the public lands ? It has been swept away by the tide of political events, and the beneficent doctrine of land reform is destined, I trust, at some time not far in the future, to receive the sanction of Congress. Is there any real question at present respecting a protective tariff ? Some faint efforts are being made to galvanize this question into life, and drag it from the grave into which it is sinking ; but these efforts will be fruitless. I have no belief that this government will return to the old-fashioned Whig policy of high protective duties. The spirit of the age, and the policy of the leading nations of the earth, are tending more and more in the direction of free trade ; whilst the restrictive systems of the past are perishing from the same causes that have originated and are carrying forward other reforms. The philanthropy which is elevating the condition of the toiling million, mitigating the rigors of penal law, and breaking the chains of the slave, is at the same time removing the shackles from the commerce of the world. It is not protection to capital, but protection to man's rights, protection to the hand that labors, that should invoke the action of the government. It is not protection to American manufactures, but protection to American *men*, that I would now advocate ; and, like the founders of the government, I would make it the starting point in politics, the great central truth in my political creed, to which questions of mere policy should be subordinate.

"Is the dollar only real ? God, and truth, and right, a dream ?

Weighed against your lying ledgers, must our manhood kick the beam ?"

Must we blink humanity itself in our loyalty to "regular nominations," or our devotion or opposition to measures of policy that are dead and buried? The Northern States have declared that Congress should prevent the introduction of slavery into the Territories of the government. The Southern States declare that this shall not be done. It is a contest between the two sections of the Union, as to whether slavery or freedom shall establish her altars in those Territories. It is a contest between liberty and despotism. It is not a quarrel about "goat's wool," or a mere *punctilio*, but a struggle in which great interests and great principles are at stake; a struggle, the issue of which is to determine the weal or woe of millions, and addresses itself not to the judgments only, but to the consciences of Northern men. The Free Soil men in Congress desire the application of the ordinance of Jefferson, come what may. In order to maintain their faithfulness to this principle, they have sundered their party allegiance, and for this cause they are branded as "fanatics," and denounced as traitors. The vocabulary of our language is ransacked for words strong enough to express their baseness and infamy as a party, and their depravity and recklessness as men. The gentleman from Tennessee [Mr. SAVAGE], who addressed the committee on yesterday, has already consigned them to their fate, among the outcasts and offscouring of the earth. The gentleman from Maryland [Mr. McLANE] is so brimful of wrath at their iniquities, that he styles them "a pestilent set of vipers, that ought in God's name to be destroyed." Sir, it might be well for the honorable gentleman to try that experiment. I have yet to learn that Free Soil men have not the same rights in this country and on this floor as slave soil men. I have yet to learn that the doctrine of slavery restriction, which was a virtue in our fathers in 1787, is a crime in their descendants, which should doom them to destruction; and I have yet to learn that the masses in the free States are not in favor of that doctrine, and will not stand by it and its advocates to the last hour.

Mr. Chairman, it was my fortune last year, in the congressional district I have the honor to represent, to witness an effort to annihilate these "vipers," so heartily detested by the gentleman from Maryland. I would say to him, too, that the project was not set on foot by Democrats, but by Taylor Whig managers. What was the result of this experiment? Sir, the Democrats made common cause with the Free Soil party, adopted the ordinance of Jefferson as a part of their platform, and thus achieved a triumph over their foe. And judging from such indications as I have seen of their



present opinions and purposes, these Democrats have not receded, and are not likely to recede, from the principles which they indorsed a year ago in their county conventions, and by their political action ; whilst the organs of the Whig party in that same district are now discoursing sweet music to the tune of *non-intervention*. In 1848 these Whig leaders were for the Proviso against the world. It was their undoubted thunder, which the Free Soil men were feloniously endeavoring to purloin from them. They declared the Whigs to be the only true anti-slavery party. They denounced General Cass as a heartless and unmitigated doughface, for writing his non-intervention Nicholson Letter. Multitudes voted for General Taylor without pretending that he was in favor of Free Soil, but merely to crush the non-intervention heresy, and "to beat Cass," who now seems, after all, in a fair way to be canonized as a political saint by these same anti-slavery Whig leaders. Sir, instead of annihilating the Free Soil party, they have been unconsciously playing their own game upon themselves. The rank and file of their party, I trust, will not follow them into the mire of "non-intervention by non-action" with slavery in the Territories. I trust that the great body of the people of all parties in that district will stand firmly upon the platform of freedom, swerving neither to the right nor the left, favoring no further concessions to slavery, and frowning upon the Northern recreant who shall be found doing battle for slaveholders against his own section of the Union.

But however this may be, my own course is clear. I shall take no backward step. I have thrown my fortunes into the scale of freedom, and I am willing to abide the issue. Holding the views I have honestly embraced, reared as I have been in a free State, and representing as I do a constituency of freemen, I trust there is no earthly temptation that could seduce me from the cause I have espoused. And that cause, whatever may for the time betide it or its votaries, will as certainly triumph as that truth is omnipotent, or that God governs the world.

## “THE HEALING MEASURES.”

IN COMMITTEE OF THE WHOLE ON THE ARMY APPROPRIATION BILL,  
SEPTEMBER 25, 1850.

[Of “The Healing Measures” of 1850 (as they were then called), the Fugitive Slave Bill was by far the most infamous. On the 12th of September it was reached on the Speaker’s table, and on motion of Mr. Thompson, of Pennsylvania, the previous question was seconded on its passage; and thus, without reference to any committee, without even being printed, and with no opportunity whatever for debate, it was passed. These circumstances called forth several speeches indignantly denouncing this and the other compromise measures, and predicting their utter failure to restore peace to the country. This speech is a specimen.]

MR. CHAIRMAN, — Not having been able to obtain the floor at a more opportune period, I desire to submit a few observations upon the “healing measures” which have finally been carried through Congress. It is with unfeigned reluctance that I engage in any general discussion at this late hour in the session, and in the face of so manifest an anxiety to proceed without delay in completing the business which yet demands our attention; but when I consider the free use which has been made of the gag, in hurrying through this body some of the most important measures of the session, without any opportunity whatever for debate, to say nothing of the parliamentary adroitness by which the opponents of those measures have been vanquished, I feel in a measure justified in any use which I may see fit to make, under the rules provided for our government, of the hour to which I am entitled.

Before the passage of the Texas Boundary Bill, the assertion was again and again made, that those who should vote against it would vote for civil war. It was so declared by the leading organ of the Executive in this city. Gentlemen in the support of the Administration, and those opposing it on other questions, united in this declaration. It went out through the country on the wings of the public press, and was echoed back to the Capitol with the obvious purpose of strengthening the hands of those who could find no other reason for giving the measure their support. Since the passage of the bill the charge has been repeatedly made, that those who voted against it *did* vote for civil war, and the country has been warned to hold them to a solemn accountability for the recklessness of their

course. Now, sir, I desire to state the grounds on which I felt it my duty to oppose that measure. I certainly do not feel called upon to defend myself against the senseless accusation to which I allude, nor do I intend that those who make it shall place me in that attitude. I choose rather to be aggressive. I mean to assail this monstrous project, by which the rights of the free States have been sacrificed through the treachery of their representatives; and I can best accomplish this purpose by referring, in the first place, to the reasons which governed my own action.

I hold that, by the bill under consideration, we surrender to Texas nearly one hundred thousand square miles of territory, to which she has no more right than I have to the property of my neighbor. Her want of title I regard as “clear and unquestionable.” I do not mean at this time to enter upon the discussion of the question, and I am fully aware of the wide differences of opinion which prevail in regard to it. I only state my own judgment, deliberately formed, after the best examination I have been able to give the subject. In addition to this large gift of territory, the bill obliges us to pay Texas ten millions of money, to which she has no better claim, as I conceive, than she has to the land. All this we yield to her, without any right on her part to demand it, or any merit in virtue of which she can claim it as a favor at the hands of the United States. The territory which she surrenders, and for which we pay her these ten millions, is situated about five hundred miles from the settled portions of the State, and is separated from them by vast wastes of uninhabitable and sterile country. There is no part of it of any value which is not already taken up by the old grants of the Spanish Government, and the vacant lands are not worth even the expense of surveying them. Besides, the country is inhabited exclusively by Indians, Mexicans, and adventurers from other States, all of whom are aliens to Texas in feeling, and strangers to her jurisdiction. Such are the admitted facts, as given by a leading journal of the State. But I have not presented the worst feature in the bill. This large surrender of land and money, in itself considered, is not necessarily criminal. The nation is rich, and it may bestow its treasures without incurring any particular guilt, except that of folly or prodigality. What I chiefly complain of is, that the land given to Texas by this bill is transformed from free territory into the soil of a slaveholding State. It is neither more nor less than the extension of slavery by an act of Congress. When the friends of the measure asked me to support it, they asked me to aid by my vote in spreading this vile system

over these millions of free acres, thus dooming both the white and black race who may people them, perhaps for ages to come, to the innumerable woes which follow in its train. Mr. Chairman, not for all the land which this nation has acquired from Mexico by the sword of conquest, with all its glittering gold included ; not for all the offices and honors with which this government has the power to reward a traitor to freedom, would I steep my conscience in the guilt, the infamy, of planting on free soil this hell-born traffic in the bodies and souls of men, or call down upon me the blistering curses of my constituents, by so base and ignominious a betrayal of the trust which they have committed to my hands. No threat of civil war, no dread of consequences, no cowardly alarm aroused by the studied bluster of Texan slaveholders, could induce me thus to join hands with the oppressor, and wage war upon humanity itself.

But the bill has passed. Had there been votes enough to defeat it, it is *possible* that civil war would have followed, though I think it in the highest degree improbable. It is likewise possible that such a war might have produced consequences fatal to the perpetuity of this Union. For aught I know, the passage of the bill may be attended with the same ultimate results. I cannot pretend to decide such questions with certainty, because Providence has not vouchsafed to me the gift of foreknowledge. The question of duty, and the consequences resulting from its performance, are often entirely distinct ; the former may be perfectly clear, whilst the latter may be palpable or unknown. But the moral sense of every man, if not perverted, will tell him plainly that slavery is an outrage upon humanity, and a crime against God ; and that he cannot justify himself in fastening it upon his fellow-men, in the hope of thereby averting a greater evil. It is true that in obscure or doubtful cases we may sometimes consider the supposed consequences of an act in determining upon its performance ; but we are never justified in perpetrating a deed that is palpably wicked, on the pretense that the end we design to accomplish will sanctify the means we employ. I have sufficient faith in the moral government of the world to believe that no right act is ever unattended, sooner or later, with an appropriate result ; whilst every wrong deed carries with it its own unfailing retribution. To act upon any other principle is practical atheism.

Mr. Chairman, I deprecate war as much as any gentleman on this floor. I claim to be an humble advocate of the great peace movement of the age. I stand opposed to the war spirit and the



war mania in all their popular manifestations, and quite as decidedly, I trust, as any friend of the Texas Boundary Bill. And yet I will not deny that I think war sometimes necessary. I must say, too, that I believe there are things more to be dreaded. The betrayal of sacred trusts is worse than war ; shrinking from a just responsibility, when necessary to encounter it, is worse than war ; the extension of slavery by the Federal Government, and with the approval of the nation, I would pronounce worse than war ; and, to be more specific, war is *less* to be deplored than the dastardly and craven spirit which would prompt the representatives of twenty millions of people to cower and turn pale at the bandit threats of Texan slaveholders, and give them millions of acres and millions of gold as a peace-offering to the vandal spirit of slaveholding aggression. Sir, I can conceive of nothing more pitiably abject and humiliating than this. Why, who are these Texans who lately told this government that the time for argument had passed, and dictated to the United States the terms upon which their disputed boundary should be settled, under a menace of war ? Have Northern gentlemen forgotten their history ? Texas was torn from the Mexican confederacy by citizens of the United States, who, in violation of their allegiance to their own country, raised the standard of revolt against Mexican authority to which they had voluntarily become subject. They found it a free province, but subjected it to the curse of American slavery ; and this was one of the main purposes of its settlement and conquest by our citizens. The Government of the United States, moved and instigated by the same unholy lust for slavery, finally sought to sanctify this “ robbery of a realm ” by incorporating it into the Union. Annexation was the primary cause of the war with Mexico, whilst its immediate cause related to the very question of boundary which Congress has been laboring to adjust. Texas, by means of this war, has cost this government more than one hundred millions of money.

These are the prominent facts of her history ; and yet we are now called on to give her ten millions of dollars besides, and an immense territory to which she had not even the shadow of a title at the beginning of the contest with Mexico, because she threatens us with her military power if we refuse to yield to her insolent demands. Yes, Texas threatens ! With a voting population of only about thirty thousand, bankrupt in the means of raising a military force, or even paying her just debts, unable to protect herself against the savage tribes that infest her borders, and begging the United States to send a force to her rescue, she yet threatens to

raise an army and maintain it against the National Government ! Can anything be more preposterous ? And yet I am charged with voting for civil war, because, under such circumstances, I am not willing to surrender to Texas the unquestionable rights of this government, for the purpose of buying her friendship.

Sir, the time will come, and I believe it draws nigh already, when the country will pronounce a just verdict upon those men who deny to Texas the right to a single dollar of the money, or a single foot of the land we have given her, and yet supported this bill, "with all its provisions, to the fullest extent," on the cowardly pretext of averting the calamities of war. I have no censure to cast upon those, if there be any such, who voted for the bill in the honest belief that Texas owned the whole of the disputed territory up to the Rio Grande, and that the money we have given her is a fair compensation for the surrender she has made. They acted in accordance with their judgment. But I despise the driveling, servile, mean-spirited policy which proclaims in one breath that Texas is without the semblance of a right to the territory for which she threatens us with war, thereby putting her in the attitude of the robber seeking to despoil us by force of property which does not belong to her, and in the next breath declares, that sooner than encounter her freebooting governor and his gang, the United States will cram their pockets with gold, and surrender to slaveholding rapacity fully one half of our possessions lying on the east side of the Rio Grande.

It is not alone to the cowardice of such a policy that I object. Courage, considered apart from other qualities, stands the lowest on the list of virtues, if indeed it be a virtue. It is often found in alliance with the worst passions. In most men it pertains rather to the organization of the body than to the character. The highwayman and the pirate often possess it in the highest degree. No evidence of character is more equivocal than that of mere physical courage ; and therefore I will not pronounce any harsh judgment upon those who have quailed before the military power of Texas. Their alarm is doubtless the result of a constitutional infirmity over which they have no control ; but I cannot justify this dread of Texan powder when I see it conjoined to what seems to me *moral* cowardice, in the support of a measure which curses with the blight of slavery soil enough for two States larger than that of Indiana. Sir, I asperse no man's motives, and I impeach no man's patriotism ; but when gentlemen charge me with voting for civil war, I point them, and I point the country, to the vile panacea by

which they have sought to avert it ; and I ask the people to judge whether the danger of a war with Texas was so imminent, or the mischiefs to be apprehended from it so incalculable, as to justify the monstrous remedy which has been resorted to by Congress ? I am ready to meet the responsibility involved in the votes I have given, and to abide by the judgment which the country may pronounce upon the miserable and flimsy plea, that the peace of the country demanded of Northern representatives the sacrifices they have made. Sir, had we passed a law giving to Texas only one half the land and money she has received, she would have accepted it with gladness. It is folly, it is madness, to suppose that that State, feeble, bankrupt, powerless, as she is, would have undertaken to force the National Government into submission. Had she done so, the Constitution defines the punishment of treason ; and it would be equal folly to suppose that the federal arm would not have been strong enough to maintain the supremacy of the laws of the Union against the arrant project of Texan nullification. The peace of the country is scarcely worth maintaining, if civil war, clothed in all the horrors with which it has been contemplated, could arise from any such cause, and spread itself over these States. I will only add, that these views are corroborated by the recent action of Texas herself, her Legislature having indefinitely postponed the warlike gasconade of Governor Bell.

Mr. Chairman, the territorial bills for the government of New Mexico and Utah contain no prohibition against the introduction of slavery ; on the contrary, they seem to imply its legality in those territories, by the clause providing for the admission of additional slaveholding States. I beg the indulgence of the committee in a few observations which I desire to offer upon this subject.

On another occasion I have shown that the founders of the government had no expectation that the boundaries of the United States, as established by the Treaty of 1783, would ever be enlarged ; that they interdicted the establishment of slavery in all the territory belonging to the government at the time of its formation ; that slavery, even in the States in which it then existed, was rapidly dwindling under the weight of its acknowledged evils ; that both the statesmen and the people of that day, instead of looking forward to its diffusion over new regions, confidently expected it to be swept from the country at no very distant period ; and finally, that the compromises on the subject of slavery to which the Northern States assented, were formed in reference to these facts, and must be interpreted in the light which they reflect upon our path from



that early period. These facts entered into, and formed a part of, the understanding and agreement between the Northern and Southern States, as embodied in the Federal Constitution. I do not mean to enlarge upon them now, vindicated as they are by the truth of history; but I reiterate them here, as worthy of the consideration of those who seem bent on a total disregard of the principles and policy of the government at its beginning. Sir, the doctrine of "No more slave States, and no slave territory," was the doctrine of the founders of the Republic. The clause on the subject of slave representation, was only applicable to slavery in the *then* slaveholding States; and even there it was not understood as a perpetual, but a temporary covenant. Yet now, after the government for the last fifty years has been drifting from its early landmarks, and violating the faith upon which the federal compact was formed, we not only repudiate the Jeffersonian policy of excluding slavery from our Territories, but, in framing governments for them, we expressly stipulate that slaveholding States may be formed out of them and admitted into the Union if they shall demand it. We not only abandon the faith of our fathers, but we seem anxious to make our apostasy manifest, that all the world may behold it. So long has the slave power guided the ship of State, that we are determined that freedom shall either silently submit to its pilotage or be cast into the sea. What was politically orthodox in 1787, according to the authority of "the Fathers," is the rankest heresy in 1850.

My honorable colleague [Mr. GORMAN] argued the other day that to insist on the prohibition of slavery in New Mexico and Utah by act of Congress, is to deny the capacity of the people for self-government. He says his motto is, to "trust the people with political power;" that he wants the "free-soil abolition agitators" either to "affirm or deny the capacity of the people for self-government;" and he declares that "there is no other issue in the whole principle of the Wilmot Proviso but this one." Sir, I am willing to go before the country on the issue which he tenders. I am for "trusting the people" of those territories with the general right to establish their own municipal regulations; but I am not willing that one *portion* of them shall strip another portion of their humanity by converting them into beasts of burden and articles of merchandise. That is not the sort of Democracy I believe in. I have no faith in any such "self-government." I am not willing to "trust the people" of our Territories "with political power" for any such purpose, and neither do they demand it at the hands of



Congress. It was not the right of a people to make slaves of each other, but the denial of this right, in defense of which the War of our Revolution was waged. If, besides the Declaration of Independence, there is one thing in the public career of Mr. Jefferson which above all others adds lustre to his character and gives immortality to his fame, it is his paternity of the celebrated ordinance by which that institution branded by Wesley as "the sum of all villainies," was *forever* excluded from the territory northwest of the Ohio. He was unwilling to "trust the people" of that region with the power to fasten upon it so unmitigated a curse, and posterity has already vindicated his wisdom. Millions will hereafter rise up and call him blessed for the very deed which, according to my colleague, was equivalent to a denial of the capacity of the people to govern themselves. Sir, gentlemen may denounce the Wilmot Proviso, and stigmatize its advocates as the enemies of popular sovereignty; but with the democracy of Jefferson and the patriots of 1787 to sustain me, I am willing to "trust the people" to decide between us.

My honorable colleague has discovered that the Wilmot Proviso was "conceived in sin and brought forth in iniquity." Does he understand the import of the term? Does he not know that it means simply the right of a whole people, whether of a State or Territory, to the common blessing of freedom? In its application to our Territories, the Wilmot Proviso is the Declaration of Independence embodied in a fundamental law for their government. Our fathers declared that "life, liberty, and the pursuit of happiness," are among the inalienable rights of men, and that "governments are instituted to *secure* these rights, deriving their *just* powers from the *consent* of the governed." Make these truths operative in the Territories of the government, by the competent law-making power, and you have the Wilmot Proviso, call it by whatever name you choose. Instead of being "conceived in sin and brought forth in iniquity," it was conceived in the brains of such patriots as Sir Harry Vane and Algernon Sydney, in the time of the English Commonwealth, and finally "brought forth" in the glorious fruits of our own Revolution in 1776. It is the very life-blood of our freedom; and although for the present its friends are overpowered, they should stand by it, and maintain it, so long as they retain their faith in the rights of man and the duty of government to provide guards for their security. And I desire to say, too, that did I feel as confident as some gentlemen profess to feel, that slavery, in any event, will not obtain a foothold in our Territories, I would

still insist on the Proviso, as a wholesome and needful reassertion, in the present crisis, of the principles on which the government was founded and was designed to be administered, — as a means of restoring it to its early policy, and animating it anew with the breath of freedom which bore our fathers through their conflict, and made us an independent nation. It is peculiarly an *American* principle, and devotion to it should be as honorable to an American citizen as his abandonment of it should be disgraceful. And if there is one circumstance connected with my humble service in the present Congress to which, in after years, I shall look back with pleasure and with pride, it is, that in the midst of the false lights and false alarms and seductive influences by which the ranks of freedom have been thinned and the policy of Jefferson trampled under foot, I insisted to the last on the duty of Congress to protect our infant Territories from the inroads of slavery by positive law.

Passing from this topic, I proceed to notice briefly the Fugitive Slave Bill which recently passed this body and is now the law of the land. By the Act of 1793, as interpreted by the Supreme Court, the slaveholder may pursue his fugitive into the free States, and take him, either with or without legal process. If he sees fit to sue out a warrant, he must make his complaint before a federal officer, and he may have the aid of the federal power in accomplishing his purpose. The States are not bound to assist him. They may not pass laws to discharge the fugitive from his service, or to prevent his recapture; and this prohibition defines their whole duty under the Constitution. If any *citizen* of a free State is found guilty of aiding or abetting in the escape of a fugitive, or of obstructing his recapture, or of harboring or concealing him, he is liable to pay five hundred dollars, besides damages in a civil action equal to the value of the fugitive. This, in brief, is the substance, and these are the provisions of the act. Now, sir, I am willing to abide by this law thus expounded, and so, I believe, are my constituents. They mean to remain passive as between the slaveholder and his victim; and this, in all conscience, is enough to ask at the hands of Christian men. It is all they mean to perform. I do not believe they will go one tittle of a hair beyond it, in obedience to any law of Congress, or to avoid any penalties which it may prescribe.

The law recently enacted empowers the circuit courts of the United States to appoint an indefinite number of commissioners within their respective circuits, whose duty it shall be, on application, to issue their warrants for the arrest of the fugitive, and to

hear and determine in a summary way the complaint of the claimant. It is made the duty of the marshal within his district to receive and execute any warrant that may be delivered to him for that purpose ; and if he fails to do so he is liable to a fine of \$1,000. If, after the arrest of the supposed fugitive, he shall escape, *either with or without the assent of the marshal*, the latter shall be liable on his official bond to pay the claimant the value of the fugitive thus escaping. In order to facilitate the execution of these provisions, it is further provided, that said commissioners may appoint an indefinite number of auxiliaries within their respective counties, whose duty it shall be to execute such process as shall be delivered to them, and who shall have the power to summon the *posse comitatus* to their assistance. It is likewise enjoined upon “all good citizens” to aid in the capture of the fugitive when thus called upon. For obstructing his arrest, or rescuing or attempting to rescue him from his claimant, or aiding or abetting in his escape, or for harboring or concealing him, any person is liable to pay a fine not exceeding \$1,000, and to be imprisoned not exceeding six months ; and shall, moreover, forfeit and pay to the claimant \$1,000 for each slave so lost. The case between the claimant and the fugitive is to be heard and determined in a summary manner, on the *ex-parte* affidavit of the former, and, of course, without a trial by jury ; thus taking it for granted that the party claimed is necessarily a fugitive slave, and jeopardizing the liberty of our own citizens. After the certificate of the commissioner is granted, which is made final and conclusive upon all magistrates and courts, if the claimant will make oath that he has reason to fear the fugitive will be rescued from him before he can be taken from the State, the officer who made the arrest shall take him again into his custody, and employ such force as may be thought necessary to remove him to the State from whence he fled ; and all the expenses of this proceeding are to be paid out of the treasury of the United States.

These are the material provisions of the bill ; and I must say that a tissue of more heartless and cold-blooded enactments never disgraced the legislation of a civilized people. On the one hand, every possible guard is thrown around the rights of the slaveholder, as if his institution had the stamp of divinity upon it, and must be cherished and fostered as the nation’s life ; whilst on the other hand, the way of the poor fugitive, whose only crime is a desire to be free, is not only so hedged about with nets and snares as to leave him utterly without hope, but at the same time to expose the free colored man of the North to any Southern land-pirate who may



seize him as his prey. Not satisfied with the Act of 1793; it duplicates its penalties; not content with the aid of the federal judiciary, it calls into the service of slavery legions of officers exercising concurrent judicial functions, whose sole business is the hired service of slaveholders; not content with compelling the North to surrender the fugitive, it taxes our people with the expense of conveying him to the State from whence he fled; not content with all this unrighteous help, it commands the *citizens* of the free States to join in the hellish employment of capturing runaway slaves and sending them back to hopeless bondage and despair. Mr. Chairman, I tell these Southern gentlemen and their Northern brethren who have passed this bill, that for one, I would resist the execution of this latter provision, if need be, at the peril of my life. I am sure that my constituents will resist it. I repeat what I said on a former occasion, that there is no earthly power that can induce us thus to take sides with the oppressor. If I believed the people I represent were base enough to become the miserable flunkies of a God-forsaken Southern slave-hunter by joining him or his constables in the blood-hound chase of a panting slave, I would scorn to hold a seat on this floor by their suffrages, and would denounce them as fit subjects themselves for the lash of the slave-driver. Sir, they will do no such thing, and I give notice now to our Southern brethren that their newly-vamped fugitive bill cannot be executed in that portion of Indiana which I have the honor to represent. The moral sense of our people will revolt at its provisions and set them at defiance, while the man who shall attempt to enforce them will cover himself with the infamy which belongs to the trade of a pirate. This is my judgment; and if Southern gentlemen think I am mistaken, the question between us may easily be tested. Slaves sometimes come among us from the South, and they will continue to do so; and I should like to ascertain the strength of this law when opposed by a public sentiment inveterately hostile to its provisions. I would like to know who will make himself the detestable scullion of slaveholders by accepting the office of fugitive slave commissioner in the county in which I reside. I should like to know who in that county will consent to act as his constable and bailiff; and when they summon the "*posse*" to aid them in running down and reclaiming a slave I should like to know who will obey the summons. There may be *portions* of Indiana where this law would be executed "with alacrity." Indeed, if I were to judge from what I have seen and heard on this floor, I could not doubt that such is the fact. For the honor of my native State I hope the evidence



to which I allude is deceptive. I will not believe, without the strongest proof, that this law will find favor with the people in any section of the State; but if I am misled by the charity of my judgment I can only repeat that the Fourth Congressional District belongs, I am sure, to quite a different stage of civilization.

The circumstances under which this law has been passed render it peculiarly degrading to the free States. It is adding insult to injury. When the free colored citizens of the North visit the ports of South Carolina, Louisiana, and some four or five other Southern States, they are dragged from the vessels on which they are brought, and without any just cause whatever thrown into prison. If, when these vessels depart, they are not removed, and all costs paid by the persons in whose care or employ they came, they are sold into perpetual slavery. That this is a most shameless outrage upon the rights of Northern freemen, as well as a palpable violation of the Constitution of the United States, no sane man can deny. We have sent men to the Southern States to remonstrate, in the most respectful terms, against the laws by which these proceedings are authorized, and to appeal peaceably to their own tribunals in order to test their constitutionality; and our agents, thus deputed, have been driven by mob-violence from the country. Gentlemen from the South take fire at the bare mention of these grievances, and treat our complaints with scorn and derision. These police regulations, they tell us, are absolutely demanded by the security of their institutions, and our only alternative is submission at all hazards. But slaveholding insolence does not stop here. Our colored citizens are not only seized on board our merchant vessels in Southern ports and sold into bondage, but they are seized on our own soil, and *our* police regulations, designed to secure the freedom of our people, are set at defiance. Police regulations in favor of slavery are sacred, and to be enforced at any cost to the non-slaveholding States; whilst similar regulations in favor of freedom are but so many aggressions upon Southern rights, and therefore to be totally disregarded. And yet, under these circumstances, we have witnessed the humiliating spectacle of Northern Representatives uniting with the South in fastening this law, with all its infamous provisions, upon the people of the free States, in order to restore "*concord*" with our long-suffering Southern brethren, and heal the wounds of the nation! Sir, concord is not the offspring of injustice and wrong. Submission to outrage cannot restore permanent peace. Discord, incurable, with all its ills, will hold empire in the land, until this foul blot upon our

legislation shall be wiped out. *Repeal* must be the fixed resolve of the non-slaveholding States, and the people of the South should distinctly understand that there can be no harmony with slaveholders until that resolve is consummated.

The outrage of such a measure, particularly in view of the circumstances I have named, is heightened by the manner in which it was carried through this body. No opportunity whatever was given to its opponents to examine or discuss its provisions. It passed the Senate only a few days before its passage here, after various amendments; and when we were called on to vote upon it, I do not believe that ten of those Northern gentlemen who supported it had looked into its provisions with any care, or knew what the bill contained. Although one of the most important measures of the session, it was neither printed so that members could examine it, nor referred to the Committee of the Whole. Under the operation of the *gag* it became a law; and the large vote it received seems to have been given because it was called a fugitive slave bill, and was understood to be included in the "general scheme of pacification," — a part of the *bargain* made by the high contracting parties. Such, in fact, were the reasons urged by Southern members why Northern ones should support it, whilst the out-and-out doughfaces acknowledged that *good faith* required them to do so.

Mr. Chairman, this memorable session of the Thirty-first Congress is rapidly hastening to a close. The people will judge whether it will hereafter be famous or infamous by reason of its leading measures. The Texas Boundary Bill, which so shamefully compromises Northern honor whilst it so completely gluts the demands of slavery, has become a law. The Wilmot Proviso has been sacrificed, and we are told that "its dead carcass has been carried to its unhallowed grave;" whilst the faith of the nation has been plighted to the South, so far as Congress has the power to do so, that additional slaveholding States may be admitted into the Union from the Territories for which governments have been provided. The Fugitive Slave Bill has been passed, which perils the freedom of every colored man in the North, and makes every white citizen of the free States a constable and jail-keeper for Southern slaveholders. These are the fruits of the protracted and unparalleled struggle which we have witnessed in both houses during the present season. These measures have been brought forth after a congressional incubation of more than nine months, to the great joy alike of politicians and Texas bond-holders. These are the "healing measures"

which are to dry up the "gaping wounds" that have threatened to bleed the nation to death. Harmony and concord, we are told, will now resume their authority in this distracted land. "The country is safe," "The Union is saved," "Civil war is averted," whilst it is announced, with equal joy and the firing of one hundred guns in this city, that "agitation" is ended and the "*fanatics*" no longer in the land of the living.

Sir, let not the slaveholder nor the slaveholder's friend be deceived by the delusive hope that harmony is now to be restored between the two sections of the Union. The day of its restoration has been put far distant in the triumph of the very measures by which it was sought to hasten its advent. As I have already observed, harmony, permanent peace, cannot result from the triumph of wrong, unless the world is governed by demons. The fundamental principle, the grand idea on which our government was founded, is Freedom, the sacredness of Human Rights; and just in proportion as its policy has departed from this idea and sought to build up an opposing element, an alien and hostile interest, just in that same proportion has it sown the seeds of discord and weakness in the nation. Concessions to slavery have produced all the "agitation" and all the mischiefs by which the government is embarrassed. It is worse than folly, it is wickedness, to strive for lasting harmony in this great nation in any other way than by harmonizing its policy with the thought which gave it birth. It has been said truly, that slavery becomes more hideous in this country than in any other, by its contrast with our free institutions. "It is deformity married to beauty; it is as if a flame from hell were to burst forth in the regions of the blessed." "Can the liberties of a nation," said Mr. Jefferson, "be thought secure, when we have *removed* their only firm basis, a conviction in the minds of the people that these liberties are the gift of God? That they are not to be violated but with his wrath? Indeed, I tremble for my country when I reflect that God is just, and that his justice cannot sleep forever." And is it possible, in the middle of the nineteenth century, to heal the wounds of the country and save the Union by removing further and further "from the minds of the people the only firm basis of our liberties," "a conviction that they are the gift of God?" Is the salvation of the Union to be accomplished by feeding and pampering an institution which in 1784 made Jefferson "tremble?" The people of the South contend that slavery is a blessing, to be diffused and perpetuated for its own sake. They do not acknowledge it as an evil, which they continue

among them on account of the difficulty of escaping from it ; but they cling to it from choice, through the love of it, and desire to spread the curse over the country. And they are the propagandists of their opinions. By assuming this ground they array themselves in hostility to the moral sense of the civilized world. They forfeit all just right to be regarded as a Christian community. To such a people the very atmosphere of Christendom is poison. And can concord be restored between them and the North by subjecting the National Government to their policy ? "Such a people," says a gifted writer, "should studiously keep itself from communion with the free part of the country. It should suffer no railroad from that section to cross its borders. It should block up intercourse with us by sea and land. Still more : it should abjure connection with the whole civilized world ; for from every country it would be invaded by an influence hostile to slavery. It should borrow the code of the Dictator of Paraguay, and seal itself hermetically against the infectious books, opinions, and visits of foreigners." In this way it is possible that agitation might be avoided ; but so long as two hundred thousand slaveholders keep in bondage three millions of their fellow-beings, and not only demand the control of the government, but that the moral world shall stand still for their particular accommodation, so long will the spirit of freedom wage war upon their pretensions. In the very nature of things, slavery and freedom are the irreconcilable foes of each other ; and therefore their conflicts cannot cease until Justice shall assert her supremacy, in the overthrow of the former. "The world is against it, and the world's Maker." Its doom is sealed by the operation of a law as certain and as inevitable as that of gravitation.

You might as well attempt to reverse the current of the Mississippi, or change a decree of fate, as to attempt by an act of Congress to control those moral forces by which American slavery shall perish, or to restore harmony to the country by giving up the government to its unbridled sway. The suppression of agitation in the non-slaveholding States will not and cannot follow the "peace measures" recently adopted. The alleged death of the Wilmot Proviso will only prove the death of those who sought to kill it, whilst its advocates will multiply in every portion of the North. The covenant for the admission of additional slave States will be repudiated, whilst a renewed and constantly increasing agitation will spring up in behalf of the doctrine of "No more slave States." The outrage of surrendering free soil to Texan slavery cannot fail to be followed by the same results, and just as naturally



as fuel feeds the flame which consumes it. The passage of the Fugitive Slave Bill will open a fresh wound in the North, and it will continue to bleed just as long as the law stands unrepealed. The existence of slavery in the capital of the Republic, upheld by the laws of Congress, must of itself keep alive an agitation which will be swelled with the continuance of the evil. Sir, these questions are no longer within the control of politicians. Party discipline, presidential nominations, and the spoils of office, cannot stifle the free utterance of the people respecting the great struggle now going on between the free spirit of the North and a domineering oligarchy in the South. Gentlemen may quarrel about Pennsylvania iron, and New England manufactures, river and harbor improvements, and the best disposition of the public lands; but the question which more than all others comes home to the bosoms of men is, whether slavery or freedom shall have the ascendancy in this government. “I never would have drawn my sword in defense of America,” said General Lafayette, “if I had thought that I was thereby founding a land of slaves.” Here, sir, lies the great question, and it must be met. Neither acts of Congress nor the devices of partisans can postpone or evade it. It will have itself answered. I am aware that it involves the bread and butter of whole hosts of politicians; and I do not marvel at their attempts to escape it, to smother it, to hide it from the eyes of the people, and to dam up the moral tide which is forcing it upon them. Neither do I marvel at their firing of guns and bacchanalian libations over “the dead body of the Wilmot.” Such labors and rejoicings are by no means unnatural; but they will be followed by disappointment. It is in vain to expect peace by continued concessions to an institution which is becoming every hour more and more a stigma upon the nation, and which instead of seeking new conquests and new life should be preparing itself with grave-clothes for a decent exit from the world; concessions revolting to the humanity, the conscientious convictions, the religion and patriotism of the free States. When the action of the Federal Government shall be entirely withdrawn from the support of slavery, and the States in which it exists shall be content with the protection which their own laws shall afford, then agitation may cease. Sooner than that it cannot, and it ought not.

## THE HOMESTEAD BILL.

HOUSE OF REPRESENTATIVES, JANUARY 29, 1851.

[The doctrines of this speech, now so generally accepted, found very little favor in Congress when it was delivered. "Abolitionism" itself was scarcely more odious, while the few men who advocated the homestead policy were branded as "agrarians," "revolutionists," and "levelers." Only eleven years later, however, the Homestead Bill became a law, and its wisdom and beneficence have already been fully vindicated. Its single radical fault was the lack of a provision forbidding the sale of the public lands in large bodies to non-residents for speculative purposes; and for this supplemental enactment Mr. Julian has labored zealously for years.]

MR. SPEAKER, — The anxiety I feel for the success of the measure now before us, and its great importance, as I conceive, to the whole country, have induced me to beg the indulgence of the House in a brief statement of the reasons which urge me to give it my support. I do this the more willingly, because there has been a manifest disposition here, during the whole of the session, to suppress entirely the discussion of this bill, and at the same time, by parliamentary expedients, to avoid any direct action upon it. It seems to be troublesome to gentlemen. Many who are opposed to its principles appear to be haunted by the suspicion that the people are for it, and hence they will not vote directly against it. They prefer not to face it in any way. The proceedings on yesterday prove this. The House then refused to lay the bill on the table; but immediately afterwards, its reference to the Committee of the Whole, which was substantially equivalent, was carried by a large majority. There was an opportunity of evading the responsibility of a direct vote, and of accomplishing, by indirection, what gentlemen did not dare do by their open and independent action. I refer to these facts because I wish them to go before the people. I desire the country to understand the action of this body, in reference to the question under discussion.

Our present land system was established by act of Congress as far back as the year 1785. From that time to the 30th of last September the government has sold one hundred and two millions four hundred and eight thousand six hundred and forty acres. Within the same period it has donated about fifty millions of acres

for the purposes of education, for internal improvements, for the benefit of private individuals and companies, and for military services. This calculation does not include the land granted by the Mexican Bounty Law of 1847, which has not yet spent its force, and which will exhaust from twelve to fifteen millions of acres. The Bounty Law of 1850 will subtract from the public domain the further sum of probably about fifty millions of acres. Besides all this, there were very large grants of land made at the last session of Congress for internal improvements; and there are at this time not less than sixty bills before us asking donations of land, larger or smaller, for various public and private purposes. Should the government, however, pause at the point we have now reached in the prosecution of our land policy, there will still remain, after deducting the sales and grants I have mentioned, the enormous sum of about fourteen hundred millions of acres. The management of this vast fund is devolved by the Constitution upon Congress, and its just disposition presents one of the gravest questions ever brought before the national legislature. The bill under consideration contemplates a radical change in the policy pursued by the government from its foundation to the present time. It abandons the idea of holding the public domain as a source of revenue; it abandons, at the same time, the policy of frittering it away by grants to the States or to chartered companies for special and local objects; and it makes it free, in limited portions, to actual settlers, on condition of occupancy and improvement. This, in my judgment, is the wisest appropriation of the public lands within the power of Congress to make, whether viewed in the light of economy, or the brighter light of humanity and justice.

I advocate the freedom of our public domain, in the first place, on the broad ground of natural right. I go back to first principles; and holding it to be wrong for governments to make merchandise of the earth, I would have this fundamental truth recognized by Congress in devising measures for the settlement and improvement of our vacant territory. I am no believer in the doctrines of Agrarianism, or Socialism, as these terms are generally understood. The friends of land reform claim no right to interfere with the laws of property of the several States, or the vested rights of their citizens. They advocate no *leveling* policy, designed to strip the rich of their possessions by any sudden act of legislation. They simply demand that, in laying the foundations of empire in the yet unpeopled regions of the great West, Congress shall give its sanction to the natural right of the landless citizen of the

country to a home upon its soil. The earth was designed by its Maker for the nourishment and support of man. The free and unbought occupancy of it belonged, originally, to the people, and the cultivation of it was the legitimate price of its fruits. This is the doctrine of nature, confirmed by the teachings of the Bible. In the first peopling of the earth, it was as free to all its inhabitants as the sunlight and the air ; and every man has, by nature, as perfect a right to a reasonable portion of it, upon which to subsist, as he has to inflate his lungs with the atmosphere which surrounds it, or to drink of the waters which pass over its surface. This right is as inalienable, as emphatically *God-given*, as the right to liberty or life ; and government, when it deprives him of it, independent of his own act, is guilty of a wanton usurpation of power, a flagrant abuse of its trust. In founding States, and rearing the social fabric, these principles should always have been recognized. Every man, indeed, on entering into a state of society, and partaking of its advantages, must necessarily submit the natural right of which I speak (as he must every other) to such regulations as may be established for the general good ; yet it can never be understood that he has renounced it altogether, save by his own alienation or forfeiture. It attaches to him, and inheres in him, in virtue of his *humanity*, and should be sacredly guarded as one of those fundamental rights to secure which “ governments are instituted among men.”

The justness of this reasoning must be manifest to any one who will give the subject his attention. Man, we say, has a natural right to life. What are we to understand by this ? Surely, it will not be contended that it must be construed strictly, as a mere right to *breathe*, looking no farther, and keeping out of view the great purpose of existence. The right to life implies what the law books call a “ right of way ” to its enjoyment. It carries necessarily with it the right to the *means* of living, including not only the elements of light, air, fire, and water, but *land* also. Without this man could have no habitation to shelter him from the elements, nor raiment to cover and protect his body, nor food to sustain life. These means of living are not only necessary, but absolutely indispensable. Without them life is impossible ; and yet without land they are unattainable, except through the charity of others. They are at the mercy of the landholder. Does government then fulfill its mission when it encourages or permits the monopoly of the soil, and thus puts millions in its power, shorn of every right except the right to beg ? The right to life is an empty mockery,



if man is to be denied a place on the earth on which to establish a home for the shelter and nurture of his family, and employ his hands in obtaining the food and clothing necessary to his comfort. To say that God has given him the right to life, and at the same time that government may rightfully withhold the means of its enjoyment, except by the permission of others, is not simply an absurdity, but a libel on his Providence. It is true there are multitudes of landless poor in this country, and in all countries, utterly without the power to acquire homes upon the soil, who, nevertheless, are not altogether destitute of the essential blessings I have named ; but they are dependent for them upon the saving grace of the few who have the monopoly of the soil. They are helpless pensioners upon the calculating bounty of those by whom they have been disinherited of their birthright. Was it ever designed that men should become vagrants and beggars by reason of unjust legislation, stripped of their right to the soil, robbed of the joys of home, and of those virtues and affections which ripen only in the family circle? Reason and justice revolt at such a conclusion. The gift of life, I repeat, is inseparable from the resources by which alone it can be made a blessing, and fulfill its great end. And this truth is beginning to dawn upon the world. The sentiment is becoming rooted in the great heart of humanity, that the right to a *home* attaches of necessity to the right to live, inasmuch as the physical, moral, and intellectual well-being of each individual cannot be secured without it ; and that government is bound to guarantee it to the fullest practicable extent. This is one of the most cheering signs of the times. “ The grand doctrine, that every human being should have the means of self-culture, of progress in knowledge and virtue, of health, comfort, and happiness, of exercising the powers and affections of a man, — this is slowly taking its place as the highest social truth.”

But quitting the ground of right, I proceed to some considerations of a different character. I take it to be the clear interest of this government to render every acre of its soil as productive as labor can make it. More than one half the land already sold at the different land-offices, if I am not mistaken, has fallen into the cold grasp of the speculator, who has held it in large quantities for years without improvement, thus excluding actual settlers who would have made it a source of wealth to themselves and to the public revenue. This is not only a legalized robbery of the landless, but an exceedingly short-sighted policy. It does not, as I shall presently show, give employment to labor, nor productiveness

to the soil, nor add to the treasury by increased returns in the shape of taxation. It is legislative profligacy. The true interest of agriculture is to widen the field of its operations as far as practicable, and then, by a judicious tillage, to make it yield the very largest resources compatible with the population of the country. The measure now before us will secure this object by giving independent homesteads to the greatest number of cultivators, thus imparting dignity to labor, and stimulating its activity. It may be taken for granted as a general truth, that a nation will be powerful, prosperous, and happy, in proportion to the number of independent cultivators of its soil. All experience demonstrates that it is most favorable to agriculture to have every plantation cultivated by its proprietor; nor is it less conducive to the same object, or less important to the general welfare, that every citizen who desires it should be the owner of a plantation, and engaged in its cultivation. The disregard of these simple and just principles in the actual policy of nations, has been one of the great scourges of the world. We now have it in our power, without revolution or violence, to carry them into practice, and reap their beneficent fruits; and a nobler work cannot engage the thoughts or enlist the sympathies of the statesman. No governmental policy is so wise as that which keeps constantly before the mind of the citizen the promotion of the public good, by a scrupulous regard for his private interest. This principle should be stamped upon all our legislation, since it will establish the strongest of all ties between him and the State. A philosophic writer of the last century, in sketching a perfectly-organized commonwealth, has the following:—

“As every man ploughed his own field, cultivation was more active, provisions more abundant, and individual opulence constituted the public wealth.

“As the earth was free, and its possession easy and secure, every man was a proprietor, and the division of property, by rendering luxury impossible, preserved the purity of manners.

“Every man finding his own well-being in the constitution of his country, took a lively interest in its preservation; if a stranger attacked it, having his field, his house, to defend, he carried into the combat all the animosity of a personal quarrel, and, devoted to his own interests, he was devoted to his country.”

Here, sir, are principles worthy to guide our rulers in the disposition of the public lands. Give homes to the landless multitudes in the country, and you snatch them from crime and starvation, from the prison and the almshouse, and place them in a situation at once the most conducive to virtue, to the prosperity of the country, and to loyalty to its government and laws. Instead of

paupers and outcasts, they will become independent citizens and freeholders, pledged by their gratitude to the government, by self-interest, and by the affections of our nature, to consecrate to honest toil the spot on which the family altar is to be erected and the family circle kept unbroken. They will feel, as never before, the value of free institutions, and the obligations resting upon them as citizens. Should a foreign foe invade our shores, having their homes and their firesides to defend, they would rush to the field of deadly strife, carrying with them "all the animosity of a personal quarrel." "Independent farmers," said President Jackson, "are everywhere the basis of society, and true friends of liberty ;" and an army of such men, however unpracticed in the art of war, would be invincible. Carry out this reform of multiplying independent cultivators, and thus rendering labor at once honorable and gainful, and I verily believe more will be done than could be accomplished by any other means to break down our military establishments, and divert the vast sums annually expended in maintaining them to the arts of peace. It is emphatically a peace movement, since it will curb the war spirit by subsidizing to the public interest the "raw material," of which our armies are generally composed. By giving homes to the poor, the idle, the vicious, it will attach them to the soil, and cause them to feel, as the producers of the country ought to feel, that upon *them* rest the burdens of war. The policy of increasing the number and independence of those who till the ground, in whatever light considered, commends itself to the government. England, and the countries of Western Europe, have risen in prosperity, just in proportion as freedom has been communicated to the occupiers of the soil. The work of tillage was at first carried on by slaves, then by villains, then by metayers, and finally by farmers; the improvement of those countries keeping pace with these progressive changes in the condition of the cultivator. The same observations would doubtless apply to other countries and to different ages of the world. But I need not go abroad for illustrations of this principle. Look, for example, at slave labor in this country. Compare Virginia with Ohio. In the former the soil is tilled by the slave. He feels no interest in the government, because it allows him the exercise of no civil rights. It does not even give him the right to himself. He has of course no interest in the soil upon which he toils. His arm is not nerved, nor his labor lightened by the thought of home, for to him it has no value or sacredness. It is no defense against outrage. His own offspring are the property



of another. He does not toil for his family, but for a stranger. His wife and children may be torn from him at any moment, sold like cattle to the trader, and separated from him forever. Labor brings no new comforts to himself or his family. The motive from which he toils is the lash. He is robbed of his humanity by the system which has made him its victim. Can the cultivation of the soil by such a population add wealth or prosperity to the commonwealth? The question answers itself. I need not point to Virginia, with her great natural advantages, her ample resources in all the elements of wealth and power, yet dwindling and dying under the curse of slave labor. But cross the River Ohio, and how changed the scene! Agriculture is in the most thriving condition. The whole land teems with abundance. The owners of the soil are in general its cultivators, and these constitute the best portion of the population. Labor, instead of being looked upon as degrading, is thus rendered honorable and independent. The ties of interest, as well as the stronger ties of affection, animate the toils of the husbandman, and strengthen his attachment to the government; for the man who loves his home will love his country. His own private emolument and the public good are linked together in his thoughts, and whilst he is rearing a virtuous family on his own homestead, he is contributing wealth and strength to the State. Population is rapidly on the increase, whilst new towns are springing up almost as by magic. Manufactures and the mechanic arts, in general, are in a flourishing condition, whilst the country is dotted over with churches, school-houses, and smiling habitations. The secret of all this is the distribution of landed property, and its cultivation by freemen. But even in the virgin State of Ohio, the curse of land monopoly, or *white* slavery, is beginning to exhibit its bitter fruits, as it will everywhere, if unchecked by wise legislation. Let Congress, therefore, see to it, *in the beginning*, by an organic law for the public domain yet remaining unsold, that this curse shall be excluded from it. The enactment of such a law should not be delayed a single hour. Now is the "golden moment" for action. The rapidity with which our public lands have been melting away for the past few years under the prodigal policy of the government renders all-important the speedy interposition of Congress.

Mr. Speaker, I have spoken, incidentally, of slavery. This, I am aware, may be considered a violation of the "final settlement," the remarkably sanative measures, ratified by Congress a few months since. I beg leave to say, however, that I think the



adoption of the policy for which I am contending will be a much better "settlement" of the slavery question than the one to which I refer. Donate the land lying within our Territories, in limited plantations, to actual settlers whose interest and necessity it will be to cultivate the soil with their own hands, and it will be a far more formidable barrier against the introduction of slavery than Mr. Webster's "ordinance of nature," or even the celebrated ordinance of Jefferson. Slavery only thrives on extensive estates. In a country cut up into small farms, occupied by as many independent proprietors who live by their own toil, it would be impossible,—there would be no room for it. Should the bill now under discussion become a law, the poor white laborers of the South, as well as of the North, will flock to our Territories; labor will become common and respectable; our democratic theory of equality will be realized; closely associated communities will be established; whilst education, so impossible to the masses where slavery and land monopoly prevail, will be accessible to the people through their common schools; and thus physical and moral causes will combine in excluding slavery forever from the soil. The freedom of the public lands is therefore an anti-slavery measure. It will weaken the slave power by lending the official sanction of the government to the natural right of man, *as man*, to a home upon the soil, and of course to the fruits of his own labor. It will weaken the system of chattel slavery, by making war upon its kindred system of wages slavery, giving homes and employment to its victims, and equalizing the condition of the people. It will weaken it, by repudiating the vicious dogma of the slaveholder that the laborious occupations are dishonorable and degrading. And it will weaken it, as I have just shown, by confining it within its present limits, and thus forcing its supporters to seek some mode of deliverance from its evils. Pass this bill, therefore, and whilst the South can have no cause to complain of Northern aggression, it will shake her peculiar institution to its foundations. Her three millions of slaves, now toiling, not under the stars, but the *stripes* of our flag, robbed of their dearest rights, inventoried as goods and chattels, and plundered of their humanity by law, may look forward with new hope to their final exodus from bondage. A number of Southern gentlemen, I am aware, view the subject differently. I am entirely willing that they should. I am satisfied to find them on the right side of the question. I speak only for myself, and claim no right to express any opinion but my own. Had this policy been adopted by the government in 1832, when General

Jackson first recommended it, it is highly probable that Texas, whether in or out of the Union, would never have been a slave country. She would have been compelled to exclude slavery by adopting the same landed policy in order to secure the settlement of her domain. The same cause would have prevented our Mexican War, and thus have saved to the country the millions of money and thousands of lives that were sacrificed in that unsanctified struggle for the extension of human bondage.

Mr. Speaker, there is one consideration pertaining to this bill which deserves a more distinct consideration than I have given it. I have already said that the right to life implies, of necessity, the right to a home upon the soil. Man cannot live without this, and therefore he has the same right to it that he has to life itself. This measure gives a new sanction to this right, a new sacredness to home. It throws the broad shield of the government over that greatest and most beneficent of all institutions,—the family. Home is the great school of virtue, the centre of the heart's best affections, "the birthplace of every good impulse, of every sacred thought." The grand interests of human life belong to it. It has been said, that just so far as the family is improved, its duties performed, and its blessings prized, all artificial institutions, including government itself, are superseded. The most important part of the education of every man and woman is received at home. The germs of character are there moulded and developed by the plastic power of the parent. The government, therefore, by every legitimate means, should favor the improvement, the security of the family, and the strength and purity of the domestic relations; for by so doing it makes strong the most enduring foundations of our freedom. This should be the first object of its care. "It is idle," says a leading London newspaper, "to talk of secular education—it is idle to talk of religious instruction, whilst the great mass of the people have *no homes*. How are we to teach, how are we to instruct; what can the schoolmaster achieve, what the preacher, when the intellects which the one would elevate, and the hearts which the other would teach, are left to the cruel training of the streets? Thousands and tens of thousands of our children have no other education, no other Christianity, than the education and Christianity of the pavement. They have been turned adrift when scarcely able to walk unaided. Another infant has taken its place at the mother's breast; and the child of two years has made acquaintance with the pavement. And so commences the out-of-door education which fills our streets with profligate women and thieves."

Not less in point here as an illustration, nor less truthful, is the following sketch of the education of a pauper child, by Harriet Martineau : —

“ The infant is reared (if not in the work-house), in some unwholesome room or cellar, amidst damp and dirt, and the noises and sights of vice or folly. He is badly nursed and fed, and grows up feeble or in a state of bodily uneasiness which worries his temper, and makes his passions excitable. He is not soothed by the constant tenderness of a decent mother, who feels it a great duty to make him as good and happy as she can, and contrives to find time and thought for that object. He tumbles in the dust of the road or the mud of the gutter, snatches food wherever he can get it, quarrels with anybody who thwarts him if he be a bold boy, and sneaks and lies if he be naturally a coward. He indulges every appetite, as a matter of course, as it arises : for he has no idea that he should not. He hates everybody who interferes with his license, and has the best liking for those who use the same license with himself. He knows nothing of any place or people but those he sees, and never dreams of any world beyond that of his own eyes. He does not know what society is, or law, or duty ; and therefore, when he injures society, and comes under the inflictions of the law, for gross violations of duty, he understands no more of what is done to him than if he was carried through certain ceremonies conducted in an unknown tongue. He has some dim notion of glory in dying boldly before the eyes of the crowd ; so he goes to the gallows in a mocking mood, as ignorant of the true import of life and human faculties as the day he was born. Or, if not laid hold of by the law, he goes on toward his grave brawling and drinking, or half asleep in mind and inert or diseased in body, till at last he dies as the beast dies.” <sup>1</sup>

Here, sir, we have a forcible exhibition of the evils of land monopoly, and the importance of homes for all. These evils can only be removed by removing their cause. We must strike at the *root* of so much wretchedness. The country has been flooded with discourses and essays on the subject of education. Statistics have been published in the United States, in Great Britain, and in other countries, showing the proportion of the population who are uneducated, and tracing the prevalence of crime to that source. This is all well enough, and no effort, certainly, should be spared by governments to educate the masses ; but their first and great want is *homes*, and *bread*. Without these, education, and temperance, and preaching, and praying, will fail in their purpose. They will be palliatives at best. Land monopoly brings into the country a surplus laboring population, whom it first deprives of their natural right to the soil, and then prescribes the terms upon which it will give them food and shelter. The price of labor, as of everything else, depends upon the supply and demand. Land monopoly, by its unholy exactions, makes sure of a large supply, and then pre

<sup>1</sup> *Household Education.*



sents to the famishing laborer the alternatives of death by starvation, or life on such terms as its own *mercy* may dictate. Government should prevent this. It is false to its trust, a bastard to its true mission, if it will not. It was never designed that man should be wholly dependent upon his fellow for the bread and breath of life. It was never designed that he should be deprived of a homestead for himself and his family, as a defense against the cold-blooded rapacity of avarice. God never intended that the family bond should be broken when most needed, and that childhood should be turned naked upon the world, with no home but the street, and no moral training but "the education and Christianity of the pavement." In a world teeming with abundance, and "wrapped round with sweet air, and blessed by sunshine, and abounding in knowledge," all his intelligent creatures should be permitted to share the pleasures and attain the purposes of existence. In the countries referred to in the extracts I have quoted only about one person in every five hundred is a landholder. Starving millions, ignorant of the pleasures, and untaught in the virtues of home, crowded into stalls and markets, or turned into the streets of their cities as beggars, bear sad testimony to the horrors of land monopoly. But Scotland and Ireland, and the countries of the Old World generally, which are annually disgorging their paupers upon our shores, are but a type of what this country will ultimately be, if the monopoly of the soil is allowed to have its way; for the same causes are here in operation, and will produce the same effects. Famine in those countries is not the result of over population, but of their landed system. No country in Europe has as large a population as the soil is capable of supporting under a wise system of culture, and a just distribution of land among the people. It is for us now to say whether starvation, pauperism, and crime, shall be transplanted from the Old World to the yet unpeopled regions of the West. It is for us, if we please, to check the monopoly of the soil and the exactions of capital in the old States, by withdrawing the landless laborers of the country from their crushing power, and at the same time giving them homes and independence on the public lands. We have it in our power to *foreordain* the future lot of the millions who are to draw their subsistence from our wide-spread public domain; and, I repeat, we shall prove recreant to our high trust as the representatives of the people, if we fail to exert it. Posterity will justly hold us answerable for evils which our timely action might have averted, but which, in a few years, may be beyond the reach of remedy.



Let the government, therefore, without delay, provide homes for the landless. Let it establish the family in our untamed forests, and let it spread its parental wing over it, and guard it as it would guard the life of the Republic. The bill before us makes the home which it secures to the settler free from execution for debt for the period of five years. I regret that it was not thought wise to make it thus inalienable forever. Our laws have abolished imprisonment for debt as a relic of barbarous times. They have exempted from execution certain personal property of the debtor, on the score of its absolute necessity to the maintenance of his family, and on the principle that the life of the debtor is more important than the claim of the creditor. Let them go further, and exempt that which is the most needed and sacred of all earthly interests,—the homestead. No regulations on the subject of debtor and creditor should be permitted to take it away. The unity of the family should be maintained unbroken, till its inmates are fitted by its discipline for the duties of life. The family hearth-stone should be “hallowed ground.” No vandal legislation should be allowed to invade it. No pretense of meting out pecuniary justice as between man and man can justify government in lacerating the cherished affections of the heart, the fond recollections of childhood, which gather around the thought of home. Not humanity only, but the cause of public morality, the suppression of crimes, and the interests of religion, all plead for the inviolability of the homestead.

Mr. Speaker, the bill under consideration possesses one recommendation, already partially noticed, which I think worthy of special consideration. It gives encouragement to a business which, more than any other, promotes the happiness of those engaged in it, whilst it favors the prosperity of the whole country. The life of a farmer is peculiarly favorable to virtue; and both individuals and communities are generally happy in proportion as they are virtuous. His manners are simple, and his nature unsophisticated. If not oppressed by other interests, he generally possesses an abundance, without the drawback of luxury. His life does not impose excessive toil, and yet it discourages idleness. The farmer lives in rustic plenty, remote from the contagion of popular vices, and enjoys, in their greatest fruition, the blessings of health and contentment. The very consciousness he feels of the utility of his calling gives a pleasure to his labors. No other occupation, perhaps, is so well calculated to inspire trust in his Creator and charity toward his creatures. The pleasures and virtues of rural life have

been the theme of poets and philosophers in all ages. The tillage of the soil was the primeval employment of man. Of all arts, it is the most useful and necessary. It has justly been styled the nursing father of the State ; for in civilized countries all are equally dependent upon it for the means of subsistence, since hunger and nakedness are universal wants. It is estimated that nearly three fourths of the labor and capital of the country are employed in this single pursuit ; and that agriculturists are themselves a large majority of the voters, tax-payers, and consumers of all foreign and domestic goods. Is not such an employment deserving of the care of Congress ? The cultivation of the soil is an obligation imposed upon man by nature ; and this fact alone would seem to impose upon government the obligation to encourage it to the full extent of its power. When so much is done by direct legislation for other interests, is it not fair that the one paramount to them all should be aided ? We expend annually some seven or eight millions of dollars in maintaining our navy, on the ground mainly that the protection of our commerce demands it. Our army costs us annually about the same amount, and these sums are drawn chiefly from the agriculturist. We have expended vast sums for harbors, fortifications, breakwaters, beacons, light-houses, dry-docks, and coast surveys, with particular reference to the growth and protection of our commercial interest. With a view to the same object, we have made large grants, both of land and money, for the construction of roads and canals. We have been expending thousands of dollars in the improvement of our war-steamers, in the projection of missiles of death, and in maintaining military and naval schools. We have built up our manufactures by discriminating duties in their favor, imposed chiefly upon the producer. We have granted, as I have already shown, from seventy-five to one hundred millions of acres of the public lands, in the shape of military bounty, to our soldiers, in addition to their lawful stipend. The public domain has been a common fund, to which the government has resorted for almost every variety of object ; but not a single acre has ever been granted for the benefit of agriculture. Such a phenomenon as an appropriation of land for experimental farms, or agricultural colleges, has never been known. Is the cultivation of the soil an occupation so contemptible, so useless to the State, as not to demand the attention of the government ? The encouragement of manufactures, of commerce, and of other less important interests, is to be commended ; but is not the encouragement of agriculture, the parent of them all, at least equally important ?

The complaint is sometimes made, that if the public lands are *given* to actual settlers, it will in effect be taxing the remainder of the people to pay for their farms, since the public revenue will be diminished in proportion to those gifts, and would of course have to be supplied from other sources. But is not one class of the people taxed for the benefit of another, in the money raised from the agriculturist in the cases I have mentioned? The cultivator has always been taxed for the support of other interests. I deny, however, that the public revenue would be diminished by making the public lands free. According to the report of the Secretary of the Treasury, these lands can no longer be looked to as a source of revenue, at least for many years to come, under our present system. He shows that our late bounty land acts will yet require about seventy-nine millions of acres, and that when they have finally exhausted themselves they will have diverted from the treasury the sum of more than \$113,000,000. The warrants issued under these acts are made assignable, and will be bought at greatly reduced prices by speculators, who will pick and cull all the choice lands, hoard them up for their own selfish advantage, and thus exclude the settler from them, and at the same time drive the government from the market which it has thus glutted by its own improvident policy. Besides, if the present system should be persisted in, Congress will continue, and probably multiply, its grants of land for internal improvements, and for other purposes, thus making large additional drains upon the revenue otherwise derivable from this source. The old-fashioned project, therefore, of raising a *revenue* from the public domain is perfectly chimerical, and must be abandoned. This is now very generally admitted. If adhered to, the government would realize from it but little, if anything, for the next quarter of a century, beyond the six or seven hundred thousand dollars annually required to defray the expense it occasions, as must be manifest, I think, from the calculations of the Secretary. It follows, therefore, that the sums heretofore raised from the sales of the public lands must be made up from other sources, whether we continue or abandon our present policy. The question of revenue is excluded.

But admitting that the passage of this bill would divert some two or three millions annually from the public treasury, for the direct benefit of actual settlers, it still would not follow that a tax of this amount would be imposed upon the rest of the community. Whilst the freedom of the public domain to actual settlers would be a measure emphatically for the benefit of the poor, all classes



would share in the advantages resulting from it. It would decrease poverty, and the vices and crimes to which it gives birth, by withdrawing its victims from our crowded cities and the slavery of capital, and giving them homes upon the fertile acres of the West. It would drain pauperism from the old States, and thus relieve them from the burden of a population of superabundant laborers, whilst enterprise, industry, and wealth, would abound in the new. Instead of diminishing, it would increase the public revenue. This, chiefly, is derived from duties on foreign imports. The amount of revenue thus obtained depends upon the number of consumers of imported articles. Increase the number of agricultural producers, therefore, and you increase the number of those who consume foreign imports, thus increasing the revenue derived from this source; because, by giving a man a home upon the soil, you add to his ability to produce, and thereby increase his ability to buy articles of necessity or luxury which pay duty. If we export annually one hundred millions worth of agricultural products, we shall import at least an equal amount of foreign goods subject to duty. If our vacant lands are made free to actual settlers, and we are thus enabled by their products to export one hundred and *fifty* millions, our imports will of course increase in proportion, and so will the receipts at the custom-house. If *revenue* be the object, here is its true source; and Congress, instead of madly endeavoring to raise money from the *sale* of the public lands, should adopt the policy that will promote their greatest productiveness. Their settlement and improvement should be the paramount object. By this policy we shall thus accomplish the double object of giving homes and employment to the landless laborers of the country, and, at the same time, replenishing the national treasury. Humanity and the dollar will go together. The public lands in their wild state are yielding nothing. It is the obvious interest of the government, as I have before stated, that they should be rendered as productive as possible. Under our present system, selling as we do from two to three millions worth of land annually, it will require hundreds of years to dispose of the whole of our public domain; and as there is no law prohibiting land traffic, the sales that are made as often prevent as promote the settlement of the country. The millions of acres which this policy would continue in unproductive idleness, slowly diminishing in quantity for centuries, should all the time be sustaining a hardy yeomanry, and filling the coffers of the nation; and the government robs itself of wealth, to whatever extent its policy fails to secure these objects. It acts like the



miser, who buries his treasure so that it can yield nothing. On the other hand, make the public lands free on condition of occupancy and improvement, and the labor of our landless and homeless population, who have no capital but their muscles, will be united to the soil in the production of wealth. The public domain will thus be improved and the government enriched by giving homes and employment to the poor; for it is as difficult to raise a revenue by taxing its paupers, as by preventing the settlement of its lands. The treasury will be filled by rescuing starving thousands from the jaws of land monopoly, and imparting to them happiness and independence. The degraded vassal of the rich, who is now confined to exhausting labor for a mere pittance upon which to subsist, or

“ Who begs a brother of the earth  
To give him leave to toil,”

will find a home in the West; and, stimulated by the favor of the government, the desire for independence, and the ties of the family, the wilderness will be converted into smiling landscapes, and wealth poured into the nation's lap. Humanity to the poor thus unites with the interest of the nation in making the public domain free to those who so much need it; taking gaunt poverty into the fatherly keeping of the government, and giving it the home of which land monopoly has deprived it; administering to it the blessings of existence, and at the same time using it as an instrumentality for building up the prosperity and wealth of the Republic. Sir, I ask gentlemen if these things are not so? I ask those who mean to oppose this policy if any wiser or better one can be proposed with respect to our public lands? Some disposition of them must be made. By some method or other they should be rendered a source of agricultural and financial wealth. The administration of them is costing us annually nearly three quarters of a million of dollars under our present system. The government, as I have shown by reference to the late treasury report, has already practically repudiated the pledge which it made of these lands in 1847 for the payment of our public debt. The management of them, I repeat, presses upon us as a serious, practical question; and I call upon those who denounce this measure to meet the views I have advanced fairly, and, if they are untenable, to bring forward some plan for disposing of our public domain more conducive to the interest of the whole country, and more likely to command the favor of a majority of Congress.

Mr. Speaker, I will detain the House no longer. What may be

the ultimate fate of this bill I cannot pretend to decide. That some measure, however, substantially embodying its provisions, will receive the sanction of Congress, I have no doubt. This may not happen at the present session, but its postponement cannot be far in the future. The policy of making the public lands free will prevail, because, as I believe, the people have willed it, and their will cannot return to them void. It will prevail, because it appeals to the American *pocket*, and at the same time to the American *heart*. It will prevail, because, like the question of cheap postage, it comes home to the business and bosoms of the million, and lays humanity under contribution to its success. It will prevail, because it appeals to the democratic idea of the nation, and promises to make effective the right of the people to "life, liberty, and the pursuit of happiness." Great names, eminent statesmen, are ranging themselves among its advocates; but my reliance is upon the intelligence and integrity of the people, — upon the agricultural, mechanical, and laboring masses of the country. Politicians may denounce and revile it; they may brand it as "agrarianism," and "demagogism," but they will be powerless to stay its progress, or prevent its final triumph. It is incarnate in the popular heart; it rests upon the immutable principles of justice; it forms an important part of the great reform movement of the age, — a link in the chain of the world's progress; it is in harmony with "the power that moves the stars, and heaves the pulses of the deep."

THE  
STRENGTH AND WEAKNESS OF THE SLAVE  
POWER — THE DUTY OF ANTI-SLAVERY MEN.

DELIVERED IN CINCINNATI, APRIL 27, 1852.

[This speech, delivered a few weeks before the National Conventions of the Whig and Democratic parties for 1852 were held, fitly deals with these organizations, and arraigns them as alike the allies of slavery. Its picture of the Free and Slave Power of the nation is well drawn, while its discussion of the morality of political action, and the relations of the Church to Slavery, give it an exceptional character as a political speech.]

MR. PRESIDENT, — In obedience to the call of our anti-slavery friends in this city, we have assembled from various sections of the country to consider what more can be done for the three millions of slaves in these United States; what new labors and sacrifices the crisis demands at our hands; and we desire, at all events, to lift up our voices in continued rebuke of the transcendent and overshadowing iniquity of this nation.

The free power of the United States on the one hand, and the slave power on the other, are the parties to the great struggle in which we are engaged; and I propose, in the outset, to glance at the position and relative strength of these contending forces, and thence to deduce such conclusions as facts may warrant, bearing upon the question of present duty.

What do we understand by the slave power of this country? It is embodied, primarily, in the slaveholders of the country, numbering, say two hundred and fifty thousand, making a liberal estimate, and many of these are women and minors. The entire white population of the slave States, according to the late census, is six millions one hundred and sixty-nine thousand four hundred and thirty-eight. The slaveholders, therefore, constitute only about *one twenty-fifth* of this number, or in other words, for every slaveholder there are twenty-five non-slaveholders, or twenty-four twenty-fifths of the people having no direct connection with slavery. If we include the whole population of the South, white and colored, bond and free, the slaveholders will only amount to about *one fortieth* of the aggregate, thirty-nine fortieths of the whole being non-slaveholders. If we take into the calculation the entire present population of the Union, setting it down in round

numbers at twenty-five millions (which cannot be very far from the truth), the slaveholders will constitute only the *one hundredth* part of the same, leaving ninety-nine hundredths non-slaveholders, and deeply interested, socially, morally, and politically, in the overthrow of the *peculiar* institution.

Here then, in this small fraction of the people of the country, the slave power is lodged. This is the terrible presence before which our politicians and priests bend their cowardly backs, and seemingly glory in the abjectness of their humiliation. I am now talking about the weakness, the apparent insignificance of this wicked and domineering oligarchy. I shall speak of its strength presently. Look, if you please, at the forces which stand opposed to this squad of despots. First, I mention the three millions and more whom they hold in bondage, and who, of course, are opposed from the very depths of their hearts to the system under which they suffer. Denied that principle of everlasting justice, a fair day's wages for a fair day's work, sold like merchandise to the highest bidder, despoiled of their dearest rights and the holiest relations of life, and plundered even of their humanity by law, is it not inevitable that they are brooding in secret over their wrongs, and nursing in their bosoms long-cherished, deep-seated, and implacable hatred of the rule of their tyrants? Let no man regard lightly, either the moral or physical power of such a people; for every ray of light which dawns upon their minds, every kindling passion which fires their hearts, is the sure prophecy of their deliverance. Well may the slaveholder tremble, when he reflects that "God is just, and that his justice cannot sleep forever."

Next, let us remember, that these slaveholders have to struggle against a rapidly augmenting dislike of their institution among the millions of their own race in the South, who hold no slaves. Multitudes of these feel that they are crushed to the earth by this heartless aristocracy, degraded to a condition which slaves themselves need not envy, and that all hope of bettering their lot is denied them, so long as the reigning order of things continues. This hostility to slavery will increase just in proportion as its hands are strengthened and its exactions multiplied, thus hastening a fearful crisis, by the action of causes that must inevitably produce it, were the millions in bondage to continue quiet and submissive. We have good reasons for believing that at this time there are thousands among the non-slaveholders South, not only smarting under the relentless power of slavery, and meditating schemes of resistance, but looking forward with anxious hopes to



some movement in the free States which will embolden them to stand up in the midst of their oppressors, and make their power felt in the politics of the country.

Again, there is opposed to the handful of slaveholders a growing anti-slavery sentiment among the fourteen millions of people in the free States. It finds its life in the truths of the Declaration of Independence, the traditions and example of our political fathers, and the teachings of our Saviour and his Apostles. It will gradually and finally penetrate all hearts, and pervade all minds in the North. This, in fact, is the great dread of the slaveholder and the dough-face, notwithstanding the pretended "finality" of their compromises. They lack faith in their own devices. The spirit of freedom, "crushed to earth" by external forces, "will rise again," and in more effectual ways make itself understood. Even now, in this dark and despondent hour of anti-slavery progress, I doubt not it is silently darting its light into the minds of the multitude, softening the inhumanity of their hearts, quickening the irinsensibility into resolves, and thus preparing the ground for a rich harvest for freedom in future years.

Lastly, the voice of the civilized world is against slavery. Public opinion, according to Mr. Webster, is the strongest power on earth. "We think," says he, "that nothing is strong enough to stand before autocratic, monarchical, or despotic power. There is something strong enough, quite strong enough, and if properly exerted will prove itself so, and that is the power of intelligent public opinion in all the nations of the earth. There is not a monarch on earth whose throne is not liable to be shaken to its foundations by the progress of opinion, and the sentiment of the just and intelligent part of the community." This terrible power is arrayed against the slaveholders, and we need not wonder at their alarm. It should not surprise us that they labor so unremittingly to guard against domestic foes, when the moral power of the world is threatening to shake their despotic power to its foundations. A hostile influence is wafted to our shores upon every gale from abroad. And the great fountain and source of opinion, the literature of the world, is against them. The poets, orators, philosophers, historians, and moralists of every civilized country, unite in one loud chorus against the enslavement of their race. And who can measure the power of the world's literature, now so wonderfully multiplying itself in the minds of the million by methods unknown to the past? Who can calculate the influence of "Uncle Tom's Cabin" as a missionary of anti-slavery reform, going forth "into all the world" as the

harbinger of deliverance to the African race? "The pen," says Dr. Channing, "is mightier than the sword," and "the press is the mightiest engine ever set in motion by man." All the great forces of the world are in league with the free power of the country, and their warfare against the lords of the lash can only end with the last vestige of their rule in the United States.

But let us turn now to the other side of the picture, and contemplate the *strength* of the slave power, judged by what we know of its actual achievements. The slaveholders, as we have seen, numbering only one twenty-fifth of their white brethren of the South, one fortieth of the entire population of the South, and one hundredth part of that of the Union, are yet the real sovereigns in this Republic. The powers of the government are in their keeping, and they determine all things according to the counsels of their own will. They say to the politician of the North "Go, and he goeth;" to the Northern priest, "Do this, and he doeth it." They lay their mesmeric hands upon the moral pulse of the nation, and it ceases to beat. Nothing that is earthly can stand before the dread authority of these men. They are the reigning lords and *masters* of the people, white and black. Look at the facts. They hold in the most galling bondage three millions of their fellow-creatures, being more than twelve times their own number. They keep in subjection and comparative slavery more than six millions of their own race in the South, who dare not even murmur at their lot. They lord it over fourteen millions of people in the free States, subsidizing their leaders in Church and State, debauching the public sentiment of the country, and pragmatically announcing and then enforcing, the conditions upon which the Union shall be preserved. They determine who shall be our Presidents and Vice-Presidents; who shall be the Speakers of the House of Representatives, and the presiding officers of the Senate; who shall stand at the head of the important committees of both houses, and how those committees shall be constituted, all with special reference to the slave interest. They secure to themselves or to their Northern slaves the monopoly of all the important offices of the government, of the judiciary, the army, the navy, and our foreign diplomacy, hoisting their black flag in distant nations of the earth. They rifle the mails of the United States, and decide what shall and what shall not be conveyed by them under the impudent surveillance which they thus set up with impunity. They imprison hundreds of our colored freemen from the North and sell them into perpetual slavery, by a law *lower* than the Constitution, for the crime of being found in

Southern ports in the prosecution of their lawful business ; and with a mob at their heels they defy the Federal Government to bring the constitutionality of their misdeeds before the courts of the country. They nationalize slavery by compelling us to support it in the District of Columbia, to aid in carrying on the coastwise slave-trade, and to conform our policy in all things to the principle that slavery is to be protected " wherever our flag floats." They involve the nation in a Florida War, and a second edition of the same, at a final cost of some forty millions of dollars, and send our army and its blood-hound auxiliaries howling on the chase of unoffending Seminole Indians, doomed to expulsion or extermination in order that slaveholding civilization and Christianity may be extended into regions from which the religion of savages would exclude them. They send their minions into Texas while yet a province of Mexico, who establish slavery there in violation of Mexican law to which they had become subject ; and then, in violation of their allegiance to the United States, raise the standard of revolt, and assert their independence by what Dr. Channing justly styles " the robbery of a realm ;" and when their work has been consummated by the help or connivance of the United States, Texas, a whole empire of slavery, is annexed to this country through the machinery of the Whig and Democratic parties.

Instigated by a still growing lust for slave domination they drive the government into a war with Mexico for the avowed purpose of acquiring more slave territory ; and when the war terminates, at a cost of many thousands of lives, and hundreds of millions of money, they assert their own will and pleasure in the disposition of the spoils of conquest. By threats to dissolve the Union, and to use the pistol and the bowie-knife, they induce Northern members of Congress to unite with them in dismembering New Mexico, while begging for admission as a free State, thus cursing with the blight of slavery eighty thousand square miles of soil that was free. They force these Northern members to give Texan slaveholders ten millions of dollars besides, to which they have not even the semblance of a title. They exact from them a law of Congress by which slavery may be extended over all our Territories, stipulating in advance that as many slave States as may be carved out of them shall be admitted into the Union whenever they shall make application. They exact another law by which the people of the free States are made their constables and slave-catchers, bound as " good citizens " to engage in a business at which their humanity must revolt ; which makes the slave claimant a witness in his own case,



and declares that his *ex-parte*, interested testimony shall be “final and conclusive ;” which tramples upon the writ of *habeas corpus*, and denies a trial by jury in a case involving a man’s liberty, dearer than life ; which taxes us all to pay the expense of sending men into slavery by its summary process, and bribes men to carry out its diabolical purpose ; and which punishes, by fine and imprisonment, the holiest duties of religion to our fellow-men.

They stand up in the Congress of the United States, and with characteristic audacity denounce Jefferson as a sophist, the Declaration of Independence as a humbug, and the ballot-box as a curse to the country. They say to us, “ You may think slavery an evil, but keep your thoughts to yourselves.” They not only make war upon the right of free speech, but they demand an expurgated literature, defiling the school-books of our youth, and even forcing Northern genius to mutilate the inspired thoughts of its own brain.

They prostitute religion itself to the nefarious work of upholding their unrighteous power, hiding their great sin behind the communion-table, and compelling Northern Christians to recognize them as brothers in the Church, whilst lifting their sacrilegious hands to partake “unworthily” of the emblems of Christ’s body and blood. They bring into their service the most gifted and influential leaders of the great religious denominations of the free States, who teach the people that there is no higher law than an act of Congress which, in unmitigated atrocity, stands without a parallel in the annals of any civilized people on earth. They meet Northern members of Congress in Washington, fresh from their constituents, elected through their anti-slavery pledges, and absolutely committed to the interests of freedom ; they take them by the hand, look them in the eye, pour into their ears their sweet and seductive accents, and melt their hearts with the fervent heat of Southern love, and in a moment, in the twinkling of an eye, these same Northern men are changed : old things have passed away, and they are born into a new life, endowed with new faculties, new desires, and new affections. By some strange law, — perhaps Mr. Webster’s law of “Physical Geography,” — their faces are turned towards the tropics, and they remember the North no more forever.

See how they approach the great intellectual giant of Massachusetts, hold him in the hollow of their hands, and mould him and knead him into just such form as they please ; now by threats, now by blandishments and caresses, bringing him captive to their will, while secretly rejoicing over his heaven-daring apostasy to truth,



humanity, and God. No mere politician can face the slaveholders and live. The slightest resistance to their sovereign will is enough to expel him forthwith from the paradise of office and power, whether he be a Van Buren, a Benton, or some humbler victim of their wrath. We sometimes hear it said that the Almighty dollar is the God of the American people. Do we not insult the prerogatives of the slaveholder when we set up any such rival? How many men can we boast, either in Church or State, who dare declare their opposition frankly and fearlessly to the great evil of the nation? How many men in the last Congress had the courage to defy its will? Mr. President, I repeat it, the power of the slaveholders has never been greater than at this moment. At this very hour, while they are singing the siren song of peace to the country, they are secretly toiling and scheming as never before to impart new life and energy to their system. By various influences, and through multiplied instrumentalities, they are instilling into the general mind a deeper and deeper hatred of the colored race; cramming down our throats that most wicked and gigantic *lie*, that our American prejudices are unconquerable, even by the power of Christianity, and that these prejudices are therefore to be the Divinity that shall guide us; persuading us not only to send back their fugitives at our own cost, but to get up an "Ebony" line of steamers, and set apart the fourth installment of the surplus revenue, for the purpose of transporting our "debased and degraded" free blacks to Africa to Christianize that Continent, and "save the Union" by eternizing slavery in this; issuing their mandates to the governors, and judges, and politicians of the so-called free States, who dutifully proceed to lecture the people on the blessings of the Compromise Measures, the necessity of regarding them as a finality, the sublime beauties of slave-catching, the philanthropy of expatriating the black race, and the divine agency of the American Colonization Society in carrying forward the blessed work, — to all which doctrines the people seem to lend a willing and reverent ear, especially in the hopeful State from which I hail.

Would that I could draw an adequate picture of the slave power, and show you how it subordinates every other power in the nation to its lawless rule. It pervades and governs every interest. In the language of John Quincy Adams, "the propagation, preservation, and perpetuation of slavery is the vital and animating spirit of the National Government." We cannot escape its presence without forsaking the country. We inhale it at every breath, and imbibe

it at every pore. We "live, and move, and have our being" in the midst of this frightful moral pestilence, which is hovering like a dark cloud over the land, and menacing the very life of the Republic.

And now, does any one ask how we shall successfully wage war against this monster power? I answer, that American politics and American religion are the bulwarks which support it, and that we must attack them. If we do this wisely and perseveringly, we shall succeed. We need no new weapons, but only a faithful use of those we already possess, in more direct assaults upon these strongholds of the enemy. And first allow me to refer to the political organizations of the country.

There was once a time when the Whig and Democratic parties were arrayed against each other upon certain tolerably well defined political issues. That time is past. These issues are obsolete. Who now thinks it worth while to talk about a Bank of the United States? Why a Whig who would publicly advocate, or a Democrat who would oppose such an institution, would run no small hazard of being set down as crazy by all parties. It has passed away, and with it one of the standards of party orthodoxy. And is not the same perfectly true of the old question of Land Distribution? It has been thrust aside by the force of circumstances which no party could control, whilst the beneficent doctrine of Land Reform is looming up in the not distant future as the day-star of hope to millions who have not known the joys of home. Whigs and Democrats are favoring this doctrine, and Whigs and Democrats are against it; but the already manifested will of the people has declared its triumph. Here then has disappeared another ear-mark by which Whiggery and Democracy were once identified. And can any man define the difference between these parties at this time on the question of River and Harbor Improvements? Both admit the power of Congress to appropriate money for those improvements, and nobody of any party denies that this power, like every other, may be abused. The real question is one of *expediency*, and upon this the widest differences of opinion abound among members of the same party. The old internal improvement quarrel has therefore been superseded, and Whigs and Democrats, so far as that is concerned, should shake hands and forget that they have ever been at war. Lastly, I ask if the Tariff Question, in the form in which it originally divided the people, is not as irrecoverably obsolete as that of a bank? Nobody imagines that this government will return to the old-fashioned high tariff policy of 1828, or 1842.

The spirit of the age, the policy of the leading nations of the earth, and the emphatic voice of the American people, are against it. The Whigs themselves, well knowing this, do not ask it. President Fillmore, in his first annual message, says "a high tariff can never be permanent. It will cause dissatisfaction and will be changed. It excludes competition, and thereby invites the investment of capital in manufactures to such excess, that when changed it brings distress, bankruptcy, and ruin, upon all who have been misled by its faithless protection." And Mr. Clay himself, in the last Congress, publicly avowed that he desired no change in the "essential provisions" of the tariff of 1846. The question, I repeat, has been disposed of, and is no longer in the bill of our political fare.

I respectfully ask then if these parties have not outlived the questions which called them into being, and organized their forces under their early champions? They are the surviving effects of causes now no longer operative, and have therefore no apology for their existence, thus lengthened out beyond its time, save the traditionary reverence of their votaries for names under which they once did battle. They are at this time pitted against each other in a mere scramble for place and power, however anxious their leaders may be to hide the fact from the eyes of the masses.

But if I am right in this, then I have been wrong in dignifying these organizations as *parties*. They are *factions*, the great bane of republics, and every lover of his country should labor for their overthrow. What is a faction? "By a faction," says James Madison, "I understand a number of citizens, whether amounting to a minority or majority of the whole, who are united and actuated by some common impulse of passion or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community." Apply this definition to these organizations, headed by ambitious and mercenary leaders, striving neither for the establishment nor the overthrow of political measures, but held together by a common love of the spoils as their sole bond of union, and say whether I am not right in branding them as factions, which should be destroyed? Why should they longer curse the Republic by their diabolical strife? For their strife *is* diabolical. I raise no clamor against parties. I deny not their use in a free country; but I doubt whether the champions of slavery ever concocted a more cunningly devised scheme for extending and fortifying its power than that of instilling into the minds of the people the delusion that these factions are demanded by the public good.



I have already briefly recited some of the achievements of the slave power. I have shown you, by actual facts, that it is the supreme power in the nation ; and it has maintained its supremacy for years past through the agency of these heartless factions. Submission to its behests in all things is the appointed means of obtaining power, the sole and openly avowed condition upon which their existence can be continued. Who will dare deny this ? Who is there so blind as not to see that existing party associations can only be maintained by an unqualified surrender of the interests of freedom ?

Suppose Northern Whigs and Democrats, in the national conventions soon to be held, should insist upon putting into their platforms resolutions declaring that Congress should abolish slavery in the District of Columbia, or the slave-trade coastwise, or prevent the extension of slavery into our Territories, or that in general terms the Federal Government should relieve itself from all responsibility for its support, so far as it constitutionally may, leaving it a State institution, dependent upon State law. Does not everybody know that this would be to sound the death-knell of these organizations ? But suppose in those conventions *Southern* Whigs and Democrats should insist upon platforms affirming directly the opposite doctrines, that slavery in the District and the trade coastwise shall be perpetual, that slavery may be carried into our Territories, out of which more slave States may be formed, and that the Federal Government shall spread over it its flag on land and sea, and by every practicable means aid the slave masters in sustaining and strengthening their peculiar institution ; does any sane man doubt that Northern Whigs and Democrats would succumb, in order to save their organizations and hold on to the spoils ? Most assuredly they would do it, as whoever lives till these conventions assemble will see. They have already done it, by the adoption of the Compromise Measures, and are preparing to do so again, in all parts of the North, by declaring those measures a finality. Northern Whigs and Democrats always pay the drafts of the slaveholders at sight, whatever the amount may be. Of course, I would not speak disparagingly here of the great body of the people. I refer to regular politicians, and that strange devil-worship of party by which well-meaning men are induced to throw their whole weight on the wrong side of this great question. The mass of the people in the North, of all parties, dislike slavery. Their consciences condemn it. They cannot believe it right to murder the intellect and affections of three millions of their race, deny



them the family, sunder their dearest ties, rob them of the fruits of their toil, and sink their humanity into brutes. They are ashamed not to admit that they think it an anomaly in our government, and that they would rejoice to see it abolished, and grieve to see its power augmented. These are the sentiments of all fair-minded men ; but, anchored in the toils of their leaders, they complacently say, " We believe the government will be better administered by our party than by our opponents ; we have confidence in our public men ; and if we divide on the slavery question it will only insure the triumph of our foes, who are at least as pro-slavery as ourselves. We therefore think it wisest to keep up our party, and postpone, for the time, if not indefinitely, all action on the question."

Here, Mr. President, is our foe. Here is the unclean spirit that must be cast out from the hearts of the people before they can be saved. We must enter the inner sanctuary of their consciences, and dispel the long gathering clouds of passion and prejudice which hold them in the slumber of unconscious guilt. We must sound it incessantly in their ears, and in trumpet tones, that by remaining in the service of these factions they are guilty of the untold wrongs of slavery.

I say to Northern Whigs and Democrats, whatever your private feelings and opinions may be, you are helping perpetuate slaveholding and slave-breeding in the District of Columbia ; you are helping prostitute the flag of our Union to the piratical traffic in human flesh on the sea ; you are helping curse with slavery the soil of our Territories, and form out of it more slaveholding States ; you are helping consign men to the horrors of slavery on the affidavit of their hunter, without court or jury, at the expense of the Federal Government, and making the practice of Christianity a crime ; you are helping destroy the freedom of speech by placing it under the censorship of slavery ; you are helping widen and deepen the general American hatred of the colored race, which is the soul of slavery ; and, instead of striving like patriots to rescue the government from the pit of destruction which yawns to receive it, you are doing all in your power to drift it further and further from its original land-marks.

Tell me if these things are not true ? Tell me if you can support these giant factions, lifting their proud crests as the strongholds of slavery, and arrayed in deadly hostility to the rights of man, without sharing in the guilt and the retribution of the oppressors of their race ?

It is very difficult, I know, to bring moral questions into the forum of politics, or political questions into the forum of morals; but I hold that "political action is the highest and most responsible form of moral action," because it "is that which, above all others, bears directly on the present and permanent welfare of the great masses of humanity." Men should shrink from the sin of personal slaveholding as an outrage upon man and a crime against God; but infinitely exceeding this is the sin of so acting politically as to build up a great system of oppression in the nation, crushing millions by its sway.

Political action is moral action compounded; for when we as citizens become recreant to our country, our responsibility is multiplied by the objects which our action concerns. I insist that Northern Whigs and Democrats are politically, and for that very reason *morally*, guilty of enslaving their race, and that in their espousal of the slave interest as a great national concern they are levying war against the institutions of their fathers. They in their day took measures for the extinction of slavery in a majority of the old States, whilst they believed it was rapidly perishing in the remainder. They excluded it from every inch of territory then belonging to the government, and limited to twenty years the importation of slaves from abroad, which they regarded as the life of the system. They were abolitionists, though their process of abolition was gradual. But Whigs and Democrats to-day preach a totally different gospel. They say, by their actions, that slavery shall not perish in this Republic, and be cast out like every other refuge of lies, but grow stronger and stronger, and entwine itself with our very life, and be co-eternal with the liberty which was to be our heritage. They say that every sentiment of human brotherhood toward the black race shall be dried up; that the law of kindness shall be gradually withdrawn and the law of might invoked, in proportion to the increase of our servile population; and they thus hasten the crisis when slavery shall perish, in the language of Jefferson, "in the agonizing spasms of infuriated man, seeking through blood and slaughter his long lost liberty." Such, my friends, is the guilt, and such the responsibility, resting upon these factions, and upon those who yield them their support. If there are incendiaries in this government, those who would destroy the Union by building up "sectional parties," they are the leaders and tools of these factions, who are endeavoring to make slavery and not freedom its great corner-stone, and to restore concord between things totally irreconcilable in their nature. If there is

such a crime as "moral treason," it is perpetrated by every Whig and Democrat who refuses to sever himself from his faithless organization, and labor by every honorable effort to bring its rule to an end. Not for all the offices which this slaveholding government could bestow upon all the doughfaces from Maine to the Pacific, would I commit my judgment and conscience to the keeping of either of these profligate factions.

But leaving this topic, permit me, in conclusion, to notice briefly the other main bulwark of slavery, — the religious organizations of the country. And here I plant myself upon the oft-quoted declaration of one of the ablest men in our land, of whatever name: "There is no power *out of the Church* that could sustain slavery an hour, if it were not sustained *in it*. All that is necessary is for *each Christian man*, and for *every Christian church*, to stand up in the sacred majesty of such a solemn testimony, *to free themselves from all connection with evil*, and to utter a calm and deliberate voice to the world, and the work will be done." Abolitionists have reason to thank Albert Barnes for his courageous and manly utterance of this truth some years ago; for whether *he* shall now practically accept it or decline its consequences, it has gone forth with power among the people, waking up thousands, I doubt not, to a sense of their guilt, whose consciences were shrouded in darkness. But what are our churches doing for the anti-slavery reform? Alas! the popular religion of the country lies imbedded in the politics and trade of the country. It has sunk down to a dead level with the ruling secular influences of the age. It has ceased, I fear, to be a divine power, practically capable of saving the world from its sins. It has formed a wicked compact with the wealth and fashion of society, and become their servant, instead of bringing them into subjection to its supreme law. Instead of seeking peace and unity in the Church by raising its uncompromising voice against the evils which produce discord, it sacrifices the principles of justice and mercy to the advancement of its temporal interests. Dr. Chalmers himself has said that even our orthodoxy has become effete, a body of ceremonies, of doctrinal formulas, from which the life and power have departed. Smit with visions of ecclesiastical power, the leading religionists are zealously intent upon the building up of rich, powerful, and popular organizations, as if these were "the great body of believers," the true Church, according to the Scriptures. What, I repeat, are these religious bodies doing for the slave? As I have already said, they are breaking bread with his owner around the communion table. They are receiving



slaveholders into full fellowship. The preachers and members of our Protestant denominations alone, own over six hundred thousand slaves. The Methodists, Baptists, and Presbyterians, all have divided on the slavery question, but both divisions tolerate slaveholding. The Methodist Church North, if I am not mistaken, reports between eighty and ninety thousand members in the South, all in full communion with slavery. Even our tract, and missionary, and Sunday-school associations, those mighty agencies for the diffusion of Christian truth, are under slaveholding espionage. The scissors of the peculiar institution must be applied to their publications, which must be so carved and mangled as not to send forth even an intimation that freedom is a blessing, or slavery a curse. The meek and lamb-like clergy and churches of the North submit to this cold-blooded priestly havoc in uncomplaining silence, lest the ire of the slaveholder should be kindled, and the *harmony* of the Church be endangered. In all the late publications of the American Tract Society, I am informed that not a syllable can be found against slavery. Such sins as Sabbath-breaking, dancing, fine dressing, etc., are abundantly noticed and condemned, but not even a whisper must go forth against the "sum of all villainies." The great denominations of the North are thus made to uphold American slavery, and, like our great political organizations, necessarily involve their supporters in the guilt of slaveholding. What then is to be done? Slavery, we see, is thus shamefully espoused by our churches. According to the high authority already quoted, it could not exist a single hour if it were not supported by our religious bodies. It is one of their chief bonds of union; and all that is necessary, he tells us, is that each Christian man, and every Christian church, shall free themselves from all connection with the evil, and this foul national blot shall be wiped out, this "flame from hell" be extinguished. Here, my friends, is the plain and straight path of duty, whoever may blink it; and if our walking therein shall lead to the rending of ecclesiastical bodies, let us remember that righteousness, not peace, should be our primary aim; that "first pure, then peaceable," is the divine order of Christian progress. And yet, we are sometimes solemnly warned against the sundering of outward bonds, as a calamity to the Church! Does the Church consist of an external organization, however many it may enlist under a common name? Do we know so little of Protestantism as to make the *Church* identical with any known ecclesiastical body? Is the Church rent in twain when a religious denomination is divided? On the contrary, I hold, that we should



welcome divisions, where they proceed from an honest and faithful endeavor to apply Christianity to all known sins. The *unity* of the Church demands the breaking up of outward organizations, when they espouse and persist in upholding a great wrong. Who believes that Christianity would be blotted out if every overshadowing hierarchy in the land were broken into fragments? The cause of true religion, instead of being mortally wounded, might even be advanced. The free spirit of Congregationalism, strengthened by the shock, might stand up stronger than ever as a break-water against ecclesiastical tyranny in future; for centralization is not less an evil in religious than in civil matters. The great body of the people, freed from priestly rule, and strong in their religious yearnings, would gather together in smaller flocks under their chosen shepherds, and thus a *free* Church, armed with every available instrumentality for good, would be found laboring in the cause of Christ, and boldly smiting every form of sin. It becomes us, as Republicans, in my humble judgment, to repudiate the hierarchical idea of a Church, and to inaugurate the Democratic and Christian idea; to forego our love of great ecclesiastical bodies, revolving round a central point of dogma, in the endeavor to unite men of different creeds on the broad platform of practical righteousness, making *that* the measure of Christian character, the test of Christian fellowship.

A great centralized religious power is unfavorable to free individual thought and action. It is apt to invoke the power of numbers, rather than the spirit of truth, and to mistake denominational sway for the spread of Christianity. It becomes self-seeking, sacrificing even justice and humanity to the desire to gather multitudes under the banner of its creed. It has been well said that "Protestantism can be true to itself, and to its mission in civilizing the world, only when it can say, in sincerity and truth, that it cares less for the creed of Luther, or Calvin, or Fox, or Wesley, than for Christ's distinguishing and everlasting law of righteousness and love."

On this principle, Mr. President, we take our stand, and we should carry it rigidly into practice, whatever the consequences may be to the religious denominations of the country, North or South. If divisions take place, we must say, emphatically, that *we* are maintaining the unity of the Church, whilst they alone are schismatics who elevate dogma above life, and substitute an outward worldly establishment for the true Church of Christ.

Divisions, I doubt not, will come. The claims of active philan-

thropy, if disowned by the teachers and professors of religion, will nevertheless be heard ; and they will not heed the prudent counsels of our timid and conservative doctors and ecclesiastics who would forsake father and mother to save their priestly power. To their tyrannical domination we must stand uncompromisingly opposed. They will never gird on the sword of Reform till the victory is won. Our reliance, indeed, must be on Christianity as a divine message to man. It is the light and hope of the world, the inspirer of every good work, the only power "given among men whereby we must be saved." The Church, I fully believe, is to redeem the race. But as in ancient days, so now, the work of reform must begin outside of existing systems, beyond the shadow of our ruling church judicatories, among the great body of the people. We must not commence with the chief priests and rulers, who are always ready to crucify Reform, but like Fox and Wesley take our stand in the midst of the multitude, who have no other interest than to find and embrace the truth.

If we make our appeal to them, and wisely and faithfully labor, we shall triumph. The ruling powers in Church and State, like Pilate and Herod, may combine against us, but we shall be sustained. The strong blast of the world may oppose us, but we shall be wafted onwards by "the trade-winds of heaven." "One strong I find here below, the *just* thing, the *true* thing." And a great consolation to Abolitionists it is, that, few in numbers, hated of the world, and branded as fanatics, incendiaries, and madmen, they yet have a perfect assurance, a faith running over with fullness, that an Almighty arm will crown with ultimate success their humble and sincere strivings for freedom and humanity.

## THE STATE OF POLITICAL PARTIES — THE SIGNS OF THE TIMES.

DELIVERED AT THE FREE SOIL STATE CONVENTION, INDIANAPOLIS.  
MAY 25, 1853.

[When this speech was delivered the cause of freedom seemed to have reached its darkest days. General Pierce, elected by an overwhelming majority on the Baltimore Finality Platform, had been inaugurated in March previous, and his administration defiantly launched in the interest of the South. The champions of slavery everywhere regarded their cause as finally triumphant, and this was the general feeling of men of all parties who looked only to the surface of events. The directly opposite view of the situation, however, which is here presented and so variously illustrated, has been fully justified by time.]

MR. PRESIDENT, — There are many persons who believe that the anti-slavery movement of this country has perished and passed away. They think it has spent its force, lived out its time, and finally been gathered to its place among the defunct humbugs of the world. And whilst they rejoice that the fierce lion of abolitionism has been tamed into subjection, they welcome to their loving embrace the meek lamb of slavery, and thank God that the millennial day of peace, so long and so devoutly prayed for by hunker politicians and doctors of divinity, has at last been ushered in.

Well, my friends, this view of our cause is certainly full of consolation to those who entertain it, and would be full of sorrow to us did we believe it to be true. Let us, during a brief hour, consider it. Let us cast our eye backward over the past and forward into the future, and determine if we may, our present drifting. And allow me to say in the outset, that our judgment in this matter must greatly depend upon the stand-point from which we view it. A genuine, whole-hearted anti-slavery man always believes his cause to be onward. He no more doubts its progress and its triumph than he doubts his own existence, or that of his Maker. He has faith in rectitude, and in the government of the world by a Providence. He believes that justice is omnipotent, and that oppression and crime must perish, because they are opposed to the beneficent ordainments of the universe. He is not blinded or disheartened by the irregular ebb and flow of political currents, or by facts which drift about upon their surface, but he penetrates beneath

it to those great moral tides which underlie, and heave onward, the politics, the religion, and the whole frame-work of society. Abolitionists have often been branded as infidels; but I am acquainted with no body of men since the introduction of Christianity into the earth, who have evinced so strong, so steadfast, and so vital a faith in the Fatherhood of God and the brotherhood of man.

But how different the case of the hardened and unbelieving doughface. He has lost the capacity to discern the truth. His light has been so long hid under the bushel of his party that he can scarcely distinguish it from darkness. He calls evil good, and good evil. His intellect is surfeited with sophistry, and his conscience drugged with compromises. Expediency is the law of his life. Right, with him, is an unmeaning abstraction. He has no faith in the omnipotence of truth. He "hath said in his heart there is no God;" or if he believes in a God, he is not a God of justice, of mercy, of universal love, who is no respecter of persons, but a Being who in his main attributes is *less* a God than a devil. To him Christianity is a riddle, whatever his professions may be; for he brands as fanatics and infidels those who would reduce its first and plainest teachings to practice, and would crucify the Saviour should He come upon the earth in bodily form. Is such a man fit to judge our movement? Of course he believes it to be constantly declining. No chord of his heart vibrates in harmony with it, no aspiration of his soul after goodness awakens within him a faith in its triumphs. He cannot believe. His mind is so hopelessly fastened in the meshes of error, and so twisted and braided with evil that no ray of moral light can penetrate its dark labyrinths.

We must, then, in prosecuting the inquiry before us, rely upon our own judgment, and prefer our own point of vision. We may err in many particulars; we certainly set up no claim to infallibility; but we believe there is no class of persons outside of our ranks whose minds are freer from blinding influences, and from every weight that can encumber the honest action of the judgment.

In regard to the political phases of our cause two facts are frequently referred to in proof of its rapid decline. The first is, the small vote for Hale last year as compared with the vote for Van Buren four years previous; the second is, the overwhelming majority by which General Pierce was elected to the Presidency. Let us briefly examine these supposed crumbs of pro-slavery comfort, and see what there is in them. In the year 1848, in the State of New York alone, about one hundred thousand men voted the Free Democratic ticket for President, who before that time never had



been identified with the anti-slavery movement, and never have been identified with it since. They were not Free Soil men, but *Van Buren* men. They were not actuated by hatred of slavery, but hatred of General Cass, who had been his successful rival. It is obvious that this feeling was not confined to New York, but operated pretty decidedly in all the non-slaveholding States. It seems perfectly fair to suppose that could we eliminate this Van Buren element from the struggle of 1848, and estimate truly the reliable anti-slavery force of that year, the vote of 1852 would show an encouraging increase instead of a rapid decline in our strength. The proper test of truth would be a comparison of the anti-slavery vote of 1844 with that of last year, leaving entirely out of view the deceptive epoch of 1848, and this shows an increase of nearly three-fold in the intervening space of eight years.

Nor is the other fact to which I have referred more solacing to the enemies of our movement. Let me ask you how the large majority for General Pierce was occasioned? That he is eminently pro-slavery, no man doubts. A more abject tool of the peculiar institution probably could not have been selected among all the white slaves that infest our Northern States. This circumstance, too, doubtless gave him many votes. But it presents one aspect only of the fact I am considering. The other is, that General Scott stood upon a platform which, in all essential particulars, was as objectionable as that of his opponent, and the Whig strength therefore could not be rallied. To their honor be it remembered that thousands of Whigs, notwithstanding their dislike of General Pierce, and their admiration of General Scott, as a man, and notwithstanding the attempted drill of their leaders and the influence of such men as Seward and Greeley, could not be driven into the support of the Finality Platform. The enormous majority of General Pierce therefore, and the dispersion and ruin of the Whig party, are facts which not only admit, but require, an anti-slavery solution. And they are facts which to us are full of encouragement. We should rejoice in the hopeless prostration of one of these parties, and the morbid growth and dropsical condition of the other. And if, as I fully believe, the bolt which has felled whiggery to the earth has penetrated to the "vital parts" of the "cutaneous democracy," we have peculiar reasons to thank God for his mercies. Everybody knows that we have always regarded these organizations as the bulwarks of slavery. The Southern wing of each of them, in every instance, has given law to the whole body, thus rendering it the wicked instrument for the perpetration of every outrage which the

slave interest has seen fit to demand. To wage unceasing war against them has been considered the clear duty of every friend of the slave. Our cause could never hope to triumph without their overthrow, and our great desire for years past has been to devise some method by which this could be accomplished.

I will not say that their formation, more than twenty years ago, was not an honest work in the main on both sides. Those who believed in a national bank, in high protective duties, in large schemes of internal improvement by the Federal Government, and in the distribution of the proceeds of our public lands, naturally rallied under a common banner, and formed themselves into a party. Those who opposed these measures, and espoused the doctrines to which that opposition gave birth, as naturally formed themselves into another party. Each plead its own existence as a necessity, resulting from the formation of the other. Each held the other in its orbit, whilst both revolved round a common centre of antagonism, which was their spirit and their life. Neither of them therefore was self-subsisting, but each committed its internal dissensions to the guidance of this all-absorbing partisan animosity, which lost sight of everything but the common foe, and nerved it with a vigorous life. It was, however, an animosity founded on principle. There were, as I have said, well-defined issues between them, and each labored earnestly for the success of its cherished doctrines. It was perhaps impossible that these parties should not have been called into being, because they were divided upon the living issues of the time. It is quite as obvious that they could last no longer than the causes which made them necessary continued operative ; for party formations must always adapt themselves to the shifting phases of public questions. This we may set down as an axiom. The Whigs, disregarding it, have attempted to lengthen out their life beyond its appointed time. They have tried to live after the original source of their life was withdrawn. As a party, they are unmistakably dead. Horace Greeley affirms it, and the central organ of whiggery at Washington virtually occupies the same position. It is true, there are persons still surviving who *style* themselves Whigs, and who seem to believe they are such, but their political capital is obviously a mere party cognomen, which now has no other meaning than a certain traditionary reverence which it inspires. Orthodox whiggery, as expounded by its great prophets in its better days, is no more. It belongs to the past ; it can only be examined as the fossil remains of a vitality that has become extinct. If any remnant of it survived till the last Baltimore Whig Convention, it was

then and there formally surrendered to the democracy, whilst the spoils alone divided those who were really brethren in principle, and who longed to embrace each other upon the common altar of slavery. Under these circumstances, the rout of the Whig party last year was as natural as had been its original formation. It had fulfilled its mission, surrendered its doctrines, outlived its honor, and for these reasons was consigned by the fates to an ignominious grave.

We have, I repeat, abundant reason to rejoice at this, because if it be a fact, the Democratic party must follow in its footsteps. It has been held together, as I have already shown, far less by any internal principle of cohesion than by an overmastering hatred of the Whigs. This has been the great artery of its life, as its leading politicians well know. And could we extort from them to-day the honest truth, they would tell us they did not intend to beat the Whigs so badly, and make them sick unto death; that they are sorry they have done so; that their own family broils can only be quieted by a concentrated animosity against such a foe as the Whig party; and that they pray for its reorganization, and dread nothing so much as a new party, built upon its ruins, which shall stand unswervingly by the principles of real democracy, and invite, from all quarters, the intelligence and worth of the land. They understand this perfectly. See how the "Washington Union" shudders at the idea that the Whig party is dissolved, and its mission ended; see how it spurns the fraternal words and repels the friendly advances of the Republic! To Free Democrats this is most encouragingly significant. Why, just look at the present attitude of the so-called national democracy, and tell me if there is any bond of union within itself that can atone for the loss of that external pressure which has hitherto hooped it together? There is, I admit, a general harmony in its ranks respecting certain negative and obsolete doctrines, such as opposition to a bank, to land distribution, etc., but is there any real agreement as to more vital questions? Is the party agreed upon the question of tariff or free trade? Is it agreed on the question of internal improvements? Is it agreed upon the question of land reform? Is it agreed as to the doctrine of non-intervention? Are the Democrats of the North and South really agreed on the slavery question? Is there no strife between Old America and Young America, both being prominent members of the same political family? Is there no difference between national democracy and nullifying democracy? Since the old party ear-marks will no longer serve their purpose, what is a Democrat? How shall we

describe him? He seems indeed to be a creature of circumstances, rather than a man of principles. To know him, you must first determine his latitude and longitude. In South Carolina he is a disunionist. In Georgia he is a compromise man. In Ohio, according to his platform, he is a free soiler. In Mississippi, he is a free trader. In Pennsylvania, he is a tariff man. In Virginia, he is a strict constructionist. In Illinois, he is for liberal appropriations for internal improvements. A Democrat in the North is in favor of land reform (so far as the slaveholders will allow); in the South he hates it as he hates abolitionism itself. In this great and harmonious party are Hunkers and Barn-burners, hard shells and soft shells, old fogies and filibusters, "thorough-going radicals and thorough-bred Federalists," and in short every type and variety of opinion known to our political nomenclature, and which could augment the confusion and jargon of the whole. It is literally *bloated* with the centrifugal and belligerent elements which from all quarters have poured in upon it, and sought the prestige of its name. Can any reflecting man doubt the issue? These hostile factions, held together by no tie save a lust for office, must inevitably fall to devouring one another. There being no longer any outward foe to arm them with a common and supreme resentment, and no internal concord to cement them into one body, their dispersion will be as natural as the action of gravity.

Let us then take courage from the signs in the political horizon. Let us hail with delight the near approach of "the good time coming," when men, no longer blinded by the assumed necessity of choosing between two evils, shall march over their ruins to the ballot-box with an eye single to the highest good of their country. Never, in my judgment, have we had so many reasons to feel encouraged as now. Our faith is no longer "the evidence of things not seen," but is sustained by such visible fruits of righteousness as should inspire us with a redoubled effort and an unquenchable zeal. We are emancipating the minds of men from the cursed tyranny of party, and dispelling the clouds which have so long veiled from them the light of truth. We have become a political, as well as a moral power in the country; and we shall prove ourselves such, not only in the overthrow of these strongholds of slavery, but in rearing upon their ruins a new temple, which shall be dedicated to liberty. Henceforth, instead of the decaying and factitious antagonism between Whigs and Democrats, we shall have the native and vital antagonism between slavery and freedom; and upon this issue the great parties of the future are to be formed, and **our great victory is to be won.**



But I pass from the political aspects of the question to other considerations not less encouraging. Nearly three years ago, as you well know, the decree went forth that agitation must cease. *Silence* was to be the platform of all of us. We were no longer to talk about slavery; and this necessarily implied that we were not to suffer it seriously to occupy our thoughts, or sway our feelings; for men will talk when they think and feel earnestly. Well, what has been the working of this prohibitory tariff upon the action of our highest faculties? Why, I believe I may venture the assertion that within the past three years there has been more agitation, more earnest thought upon this contraband subject, more hearts have been awakened to the wrongs of the slave, than within the whole period of the anti-slavery movement besides. Let facts be submitted and speak for themselves.

Three years ago, the "National Era" had about twelve thousand subscribers. Now it has, I presume, at least thirty thousand. I believe Dr. Bailey estimates that each paper subscribed for has five readers, which gives him one hundred and fifty thousand in the United States. You all know the character of this paper. You know it is constantly multiplying its patrons, and that just in proportion as pro-slavery men can be induced to read it, they slacken their hold upon their party and finally abandon it. By its unquestioned ability, by the avoidance of extreme positions, by that very moderation which some condemn, it has made itself a most powerful instrument in the political regeneration of the country, drawing toward us multitudes who would have been repelled by a harsher missionary. Then we have, at this time, more than seventy weekly papers, devoted specially to the anti-slavery reform, and seven daily papers, all of which, so far as I can ascertain, are receiving a support, with encouraging prospects ahead. Judging from their tone, there never was so much life in our cause as at this time. There are also powerful and influential journals, outside of the ranks of those who make the slavery question paramount, which in their sphere, and in their own way, are doing a good work for the cause of freedom. They are creating a popular sentiment that will more and more control them, and ultimately drive them on to the high ground of independent anti-slavery action. In what I have said I have not included our professedly religious papers, several of which are speaking out with a commendable boldness. The Christian press at Cincinnati is doing an excellent service, and gives promise of great usefulness, whilst the question of the relation of our religious denominations to slavery is creating an agitation

hitherto unknown among them, and which must continue to disturb their peace, till it shall be settled on the basis of humanity and freedom.

But not to dwell upon minor facts, let me observe that not long after the total suppression of agitation was resolved upon, a woman, having got entirely "out of her sphere," wrote a book which has not only lit up the fires of agitation, to an unexampled degree, throughout the whole extent of this country, but has carried the torch to the ends of the earth. "Uncle Tom's Cabin," the world's great missionary of freedom, and the harbinger of deliverance to the African race, is the glory, not less than the wonder of our age; and it is not strange that Mrs. Stowe should regard it as having risen "on the mighty stream of a divine purpose." How many readers has this work in the United States? It is impossible to say with any claim to accuracy; but judging from the number of copies already published and sold, and the avidity with which the work has been sought after by all classes, and in all sections of the country, I think we may safely set it down at one million! It is more than three times this number according to the "Literary World," which estimates ten readers to every copy sold. But I desire to speak within bounds. A million of American readers of an abolition book; a million of men and women pouring out their tears over the wrongs of three millions in chains; a million of hearts throbbing responsive to the sufferings of the slave! Is this the entertainment to which our finality friends invited us two or three years ago? Could the most sanguine among us at that time have *dreamed* of so wonderful a progress? And this million of readers of "Uncle Tom" must swell into millions; and when light has thus found its way to their minds, scattering the mists which have so long shrouded them in cold indifference, and arousing our common humanity to a sense of the enormity of slavery, the triumph of freedom will draw nigh. The seed will have been planted that *must* bring forth fruit; for when the minds and hearts of men are once kindled by a gigantic wrong, the fire can only be quenched by its overthrow. A great moral revolution can never go backwards, because the spirit which sustains it is the spirit of God. As well might we attempt to turn back the whole tide of civilization, and blot out Christianity itself, as to control those quickened moral agencies that are undermining the fabric of American slavery.

But let us follow this agitating missionary across the Atlantic. It will be remembered that only a few months after its publication

in the United States, editions of it amounting to four hundred thousand copies were issued in England alone ! Its readers there, of course, must now be counted by millions ! The rage for it among all classes has no parallel in the history of English literature. It is served up for the masses in sixpenny editions, dramatized and acted on the stage, coined into poetry and song, and thus moulded into the great heart of the nation as a household word. Its popularity is not less in France. Some hundred thousand copies have been sold, whilst the leading papers of Paris are filled with "Uncle Tom" literature. It is to be found in every one of the numerous circulating libraries of the city. Notwithstanding large importations from abroad there have been eleven or twelve translations of the work. Engraved portraits of Mrs. Stowe, we are informed, are displayed from the shop windows, whilst artists are employed in transferring to canvas the graphic scenes from her pages. The theatres of Paris are crowded to overflowing with spectators and listeners to the dramatic scenes founded on the wonderful American book. In Italy, several editions of it have been printed, and some of the daily papers have been sending it forth in chapters, after the fashion in Paris on its first introduction into that city. It has created quite a sensation in Germany, in Prussia, in Austria, and in Russia, and is finding its way into every part of Christendom as rapidly as human instrumentalities can carry it. It is favored by the European democracy, from an honest enthusiasm for liberty, and from a sincere desire to see our country purged from the loathsome blot of slavery ; it is favored or connived at by the advocates of despotism, because, as they suppose, their own peculiar institution is strengthened by the exposure of a blacker villainy in the great model Republic. Who then will venture to guess at the number of readers of "Uncle Tom" on the Continent, or calculate the influence of the public opinion thus formed ? Our proslavery foreign diplomacy, appalled at the spectacle, plies all its arts in vain to stifle and turn back the Christian sentiment of the masses in the old world. That sentiment will be heard, not in Europe only, but in our own slaveholding and slave-catching States. It can no more be confined to Europe, than the winds. Daniel Webster, you know, used to tell us that there is not a monarch on earth whose throne is not liable to be shaken to its foundations by the public opinion of the civilized world. Slaveholders understand this. They believe and tremble. Their fear of "Uncle Tom's Cabin" is not an idle or childish one, but a rational fear, springing from a conviction that the civilization and Christianity of the world are against

them, and that the lights which they are kindling cannot be extinguished. Hence their present exasperation. They are beginning to learn that agitation will have its way, and that every attempt to fetter it only aggravates the evil intended to be assuaged. They find that they have verged upon a new era, in which their beloved institution, stripped of its long permitted immunity from the right of search, is to be scourged from its hiding-place and compelled to stand up in its unveiled ugliness before the judgment-seat of the world.

Mrs. Stowe has impressively taught them this lesson. Her book has proved the forerunner of an agitation that no human power can control, and in which slaveholders themselves have been forced, in self-defense, to do their part. To counteract the wonderful effects of "Uncle Tom's Cabin," a work is duly prepared and sent forth from the South, entitled, "Uncle Tom's Cabin as it is;" but notwithstanding its deceptive title and pictorial advantages, it seems quietly to have sunk into its grave, without any other result than somewhat to increase the popularity of the book it was intended to destroy. Then we have "Marcus Warland," a tale of the South, by Mrs. Caroline Lee Hentz, who says of her work, "A native of the North, and a dweller of the South, with affections strongly clinging to both of the beautiful divisions of our country, I trust that I have brought to the task an unprejudiced mind, a truthful spirit, and an honest and earnest purpose." She then proceeds to picture slavery as a most delightful institution, prolific in all the higher virtues, and the bond of which is one of "affection, gratitude, tenderness, and esteem." Another work is sent forth entitled "Uncle Tom in England; or, a Proof that Black is White: a Sequel to Uncle Tom's Cabin," which is filled with the usual twaddle of slaveholders about the poverty and wretchedness of the laboring masses where slavery is unknown. Mr. J. Thornton Randolph favors us with a work entitled "The Cabin and the Parlor; or, Slaves and Masters," abounding in similar arguments, and treating at considerable length of the wretched condition of the free negroes in our Northern States. Mrs. Sarah J. Hale, about the same time, resurrects from a sleep of twenty-five years a book which she sends forth under the title of "Northwood," as an additional auxiliary in the great work of suppressing agitation. "Uncle Tom's Cabin contrasted with Buckingham Hall," is another work, similar in character and spirit to those I have named. I may next mention "The Lofty and the Lowly; or, Good in All, and None All Good," by Miss McIntosh, who de-



clares that she, too, loves all of these United States. Her object, she says, is to give "a true and loving portraiture of the social characteristics" of both sections of our country; and she proceeds to depict the slaveholder as all that is noble and heroic in human character, and slavery itself as the blessed thing which it seems to a Southern fanatic, whilst all her villains are from the North. Among the replies to "Uncle Tom's Cabin," I must not omit to mention one by "A Carolinian," which for a Southern work, is moderate and rather deprecatory in its tone, conceding much of the ground occupied by anti-slavery men. In order to counteract his agitation, "A North Carolinian" has ably replied to it. The Abolitionists are overtaken by an awful visitation in a work entitled "Aunt Fillis's Cabin; or, Southern Life as it is," by Mrs. Mary H. Eastman. She affirms that slavery is "authorized by God, permitted by Jesus Christ, sanctioned by the Apostles, and maintained by good men in all ages," and that she is "utterly opposed to amalgamation, root and branch." Recently, a most remarkable book has made its appearance, entitled "A Choice of Evils; or, Thirteen Years in the South, by a Northern Man." Its author is a Mr. Hooker, of Philadelphia. Among other things, he astonishes the world with the discovery that slavery is not only an unspeakable blessing, but a great "missionary institution for the conversion of the heathen."

So goes the agitation in the South. But it rages in the North also. Hildreth's "White Slave," a work of great power, is having a decided run, not only at home but across the water. "A Peep into Uncle Tom's Cabin," by Aunt Mary, designed for juvenile readers, is destined to a good service, whilst the "Key," recently from the press, will probably meet with as warm a reception as that work itself, and must exert a powerful influence. In further proof of the epidemic character of agitation I might mention the publication of a third edition of "Cousin Frank's Household; or, Scenes in the Old Dominion," by Pocahontas; "Manuel Pereira; or, the Sovereign Rule of South Carolina, with Views of Southern Laws, Life, and Hospitality," by F. C. Adams; "Uncle Tom at Home: a Review of the Reviewers of Uncle Tom's Cabin," by the same writer; the "Writings of Judge Jay on the Slavery Question;" a volume of speeches by the Hon. Joshua R. Giddings; "Sumner's White Slavery in the Barbary States;" a work by William Goodell, entitled "Slavery and Anti Slavery: a History of the Great Struggle in both Hemispheres, with a View of the Slavery Question in the United States;" and another work

by the same author, entitled "The American Slave Code, in Theory and Practice, its Distinctive Features shown by its Statutes, Judicial Decisions, and Illustrated Facts." The newspapers and reviews of our country, both in the free and slave States, are freighted with the new literature. The "Literary World" for some time endeavored to ignore it, but was finally compelled to notice "the Uncle Tom epidemic," and to attempt a solution of it. It was evidently puzzled, and asks, "Was there never a book before? Has the world never been blessed with genius, or has art striven in vain until now, and has printing been a dead letter, and have mankind, aroused by Uncle Tom from a sleep of two centuries, awakened at this late hour, for the first time, to the fact that there are books to read?" It then goes on to confess that the "multitudinous" success of "Uncle Tom" is to be accounted for mainly "by the enthusiasm in behalf of the cause in support of which it has been written," that of "slave emancipation!" How very consoling to its finality proclivities! "Graham's Magazine" has been in great travail of spirit, whilst its bad temper and coarse language have called down upon it a broadside of artillery from the liberal press. In the mean time, the Duchess of Sutherland and other distinguished English ladies, having published an address to the people of this country calmly expressing their views upon the question of American slavery, Mrs. Julia Gardner Tyler became intensely "agitated," and in order to silence the Duchess and "the rest of mankind," published an address in reply. Several of our Northern papers, desiring to aid Mrs. Julia in the work of putting down agitation, copied her address; and some of them, as the "New York Tribune," and the "Saturday Visitor," held it up to the scorn and contempt of all sensible and decent people.

Thus everybody is agitating. The anti-slavery man agitates, because he believes the truth is on his side, and that *that* has nothing to fear, and everything to hope, from the freest discussion. The pro-slavery man agitates, because that is his method of convincing everybody that agitation is a curse and a crime. Agitation pervades the common air. It meets us around the fireside, in the social circle, in our stage-coaches and railway cars, and on board our steamboats. The old and the young, the rich and the poor, the wise and the simple, are alike its victims. It has acquired a sort of omnipresence. The very effort to escape it only seems to draw it nearer to us; and were it possible to banish the contagion entirely from our thoughts it would be at the cost of our moral annihilation. Its abode is wherever human hearts beat; and while

oppression lasts, it can only cease with their pulsations. Never has there been such a tide in our affairs as at this time. Never have the enemies of slavery had such reasons to feel encouraged as the facts I have presented furnish. Never has the slaveholder seen his day of judgment so visibly and rapidly approaching. Every attempt to cloak the hideous deformity of the great dragon of slavery only seems to unmask it to the gaze of the world. Every diabolical device designed to crush our cause, is turned into a weapon of aggression and defense. Slaveholders themselves are now among our most efficient helpers. Their unhallowed rule has at length set the world to thinking, its great heart to beating, and its great voice to *agitating*, whilst their intended *finality* has been hissed out of the land. And yet President Pierce, in his inaugural, tells us that he fervently hopes the question is at rest! Let us thank God for such a rest as the world is now having, and pray for its increase; and as respects slaveholders and doughfaces, let us take comfort from the Scriptural assurance that there *is* no rest for the wicked.

As an additional fact which I think encouraging allow me to observe, in conclusion, that the very arguments of pro-slavery men in defense of their cause are calculated to help us. Take, for example, their current balderdash about the pauperism and squalidness abounding in the free States and in England. Could anything possibly be more silly or inconclusive? Suppose we admit that our Southern friends speak the truth without exaggeration, and that we really have in our midst the wretchedness and the loathsome social disorders which they charge upon us? What then? Is the character of slavery changed? If it be a God-defying villainy, does it acquire the divine sanction and become transfigured into an angel of light by finding somewhere else as unmitigated a curse as itself? See how the monster brands itself by ransacking the civilized world for some sink of depravity and woe with which it may ask a comparison, and behind which it seeks a shelter! Such an argument in defense of slavery is infamous, besides being the baldest sophistry. The free States do not justify the social evils that have grown up in their midst. They do not cling to them as to the corner-stone of the Republic. They do not invoke in their behalf the divine sanction, nor threaten to dissolve the Union if they should be abolished. It is especially true of anti-slavery men, that whilst they wage war against chattel slavery in the South, they wage war against wages slavery in the North. They are the advocates of land reform; of the rights of

labor in opposition to the exactions of capital, and are exerting themselves to the utmost in the cause of down-trodden humanity, whether white or black, or whatever the form of degradation under which it groans. This also I believe to be true of English agitators.

Again, consider the argument of Southern men and their minions in behalf of their pet scheme of African colonization. They talk to us about the "improvability" of the negro race. They deny its inferiority to the Anglo-Saxon. They tell us that Greece and Rome borrowed their civilization from the Egyptians, who were a colored people, and that Egypt itself was founded by colonies from Ethiopia. They affirm that neither of the colonies of Jamestown and Plymouth, at the end of twenty-five years, had acquired so strong a position as Liberia has done in the same period, although the colony is chiefly made up of Guinea negroes, who are the lowest type of the colored race. But if all this be true, with what a trumpet voice does it proclaim the infernal character of American slavery, and of that prejudice which upholds it, whilst it would banish to Africa the free man of color whose missionary labors are so much needed here! Such facts, coming from the pro-slavery party in this country, are astounding. They cannot fail to strike the common sense of the most unreflecting as virtually surrendering the main prop of their system.

But observe now how this colonization, missionary argument tallies with another Southern argument which is attracting some attention, namely, that the negro is not a man; that he belongs not to the human species, and is too indolent to take care of himself, and too hopelessly stupid to exercise the rights of citizenship. Here is a direct conflict. But these arguments not only contradict each other, but condemn themselves. If the African is a man, and the natural equal of the white man, only wanting equal opportunities, he should be free, whether in America or Liberia. If he is not a human, but an animal, he should not be subject to law. He should not be hung for murder, nor allowed to marry, nor hold and transmit property, nor be baptized as a Christian, nor sent to Liberia as a missionary; nor should men be hung as pirates for making him an article of traffic on the high seas. These things are most palpable. Such wretched, clumsy, contradictory arguments in defense of slavery can only serve to expose it, and thus to strengthen the hands of its foes.

Next, look at the Bible argument in support of slavery. We are told, though not so frequently as formerly, that slavery is sanc-



tioned in both Testaments, from Genesis to Revelation, and thus established by express decree of Almighty God. Such language has been constantly in the mouths of Southern politicians and divines. It is the language of the Democratic party in this State, speaking through its central organ published in this city. Now this argument necessarily suggests the inquiry, why our Southern brethren do not place the Bible at once in the hands of their three millions of slaves? They are neither an irreverent nor an unbelieving race, and if the Scriptures plainly teach the divinity of slavery, that would be the way to insure its strength and quiet agitation. Why not unfetter our Bible, and Missionary, and Sunday-school Associations, and make every hut on every Southern plantation missionary ground? Why punish men as felons for giving the Bible to the slave? The plain truth is, that those who employ this argument have no faith in it. Their actions proclaim them insincere, and the time is approaching when they will be ashamed of it. They know that the religion taught by Christ and his Apostles is a religion of freedom, and that were even the servitude which prevailed among the Jews introduced into this country, and divinely sanctioned as an American institution, it would speedily "let the oppressed go free."

Again, in the publication already referred to by Mr. Hooker, there is a chapter on "the *pleasures* of slavery." We are told that the Southern slave is not merely contented, but "he is a joyous fellow." "In willing and faithful subjection to a benignant and protecting power, and that visible to his senses, he leans upon it in complete and sure confidence, as a trusting child holds on to the hand of his father, and passes joyously along the thronged and jostling way where he would not dare to be left alone." Mr. Hooker says, "His are the thoughts that make glad the heart of the cared-for child, led by paternal hand," and that "of all people in the world, the pleasures of the Southern slaves seem, as they really are, most unalloyed." How very delightful! But several disturbing queries bolt in upon the mind. How does such a state of earthly bliss in its highest form square with the Southern doctrine that the African is under the curse of God, and that slavery is that curse? How does it happen that such multitudes are fleeing at every peril from this blessed state, and that those who would persuade us that the slave is thus happy are so clamorous for an efficient fugitive law, that shall arm the whole land in the work of guarding his escape? How is it that such an institution works so admirably, when all history and experience prove the tendency of

uncontrolled power to abuse? Why do our instinctive feelings revolt at the bare thought of becoming slaves ourselves, or of having our wives and children in that condition? Why do not slaveholders themselves submit to the patriarchal institution, and thus bask in its ineffable beatitudes? I need not say that such questions more than answer such arguments.

I have time to refer to only one additional argument. The same writer, as I have already stated, regards slavery as a grand missionary institution for the conversion of the heathen. He tells us that in the course of more than fifty years, all the missionary societies of our country, of all denominations, have converted some fifty thousand heathen to Christianity, in various parts of the world. He then computes that American slavery has converted more than ten times that number; that is to say, more than half a million of slaves in the Southern States. He says, "I have good reason to suppose that more than half a million of the slaves of the South are regular members of Christian congregations." What a *peculiar* argument! Five hundred thousand men and women converted to Christianity by an institution which robs them during life of the fruits of their labor, — sells them on the auction-block like so much cotton or tobacco, — separates husbands and wives, parents and children, — blots out of its vocabulary family, home, kindred; tramples the institution of marriage under foot, scatters licentiousness and concubinage over the land, and closes the Bible against them as a sealed book! I submit that this is not so much a conversion of heathen, as a *heathen conversion*; for certainly the heathenism preponderates strongly on the side of the missionary. Consider this argument. If it be sound, instead of raising money to defray the expense of transporting our free colored men to Liberia, we should enslave them at home, and expend our spare funds in hiring slaveholders to go there and establish their missionary institution. Why have a free colony in Liberia, when slavery is so much better fitted to Christianize the heathen of the African Continent? To carry on this great work efficiently the civilized nations of the world should unite in repealing their laws making the slave-trade piracy, and place it on a permanent basis, encouraging it by bounties, and fostering it by every means in their power. As charity should begin at home, every Christian nation should introduce domestic slavery as its home missionary establishment; and as this would give life to the foreign slave-trade, it would answer the purpose of a foreign establishment also. Instead of sending missionaries to the heathen, we could then, as the

"National Era" has observed, bring the heathen to the missionary. Our present expensive operations might be abandoned, as Mr. Hooker tells us they are not doing a tenth part of the service to the Christian world which American slavery alone is rendering. All our Northern States, of course, should introduce slavery forthwith ; and when this nation, coöperating with others, shall have planted this great missionary power in every part of the known world, the millennium will be "a fixed fact."

Mr. Hooker's book is truly a sublime and blessed performance. Whilst our country is threatened with the horrors of universal agitation, and our pro-slavery friends, quaking with the dread of "Uncle Tom," are ready to cry out "What shall we do to be saved?" it bursts upon their affrighted vision with a discovery which brings peace to their souls, solves the vexed riddle of slavery, and scourges the Uncle Tom literature from the world. Shall we not rejoice? We "fanatics" can now understand many things which before were shrouded in darkness. We can see why President Pierce says in his inaugural that he believes slavery is recognized in the Constitution, and that the compromise laws are to be "unhesitatingly" and "cheerfully" carried out. He is doubtless prompted by the piety which wells up in his great Christian heart, by his desire to see the heathen soundly converted through this divinely ordained missionary. We can understand perfectly why the Bible should not be given to three millions of slaves. It would obviously hinder their conversion to Christianity, by impairing the efficiency of its grand missionary agency. We can see how wicked it is for slaves to run away from their masters. It is simply running away from their missionaries. It shows them to be stiff-necked barbarians, stubbornly resisting the touches of divine grace, as well as of the slave-whip, whilst it enjoins it upon us, as we love the cause of religion, to unite with alacrity in sending them back to the tender mercies of an institution so abundantly able to convert their heathen souls. It reconciles us to the fine and imprisonment meted out to us, if we feed or shelter the fugitive. In such infidel acts we grossly offend religion, by obstructing the propagation of the Gospel. It explains the law lately enacted in Illinois, which offers a bribe of twenty-five dollars to any of her white saints who will engage in the missionary work of enslaving any free man of color who may enter the State. This zeal for the spread of Christianity in that great commonwealth, awakened through our missionary institution, is without a parallel, even in Indiana. Illinois is now far in the van of all her North-

ern sisters in her practical sympathy for the heathen without her gates.

Mr. Hooker, of course, would brand "Uncle Tom's Cabin" as unutterably wicked. It must be the enemy of souls. It is an *infidel* book, because it stabs Christianity to the heart by destroying its chosen missionary weapon. In writing it Mrs. Stowe must have been given over to hardness of heart, and wholly taken captive by the devil; for her book is altogether wanting in that real, missionary, "evangelical" unction, in which Mr. Hooker's labors seem to have been baptized. His theory likewise elucidates the principle upon which the Free Democratic members of the United States Senate must have been excluded from its business committees. Senator Jesse D. Bright, whose fervent desire for the salvation of souls it would, perhaps, be impious to question, publicly pronounced these Senators "outside of any healthy political organization." This, no doubt, was prompted by the godly yearning of his soul for the conversion of the African heathen. He himself, I believe, is rearing and converting quite a number on his Kentucky plantation. He was therefore interested both as a saint and a sinner in the grand missionary institution. Hale, and Chase, and Sumner, did not believe in missions. They lacked faith in "the preservation, propagation, and perpetuation of slavery," as a divine scheme for converting the heathen world. And although no man could say aught in derogation of their talents, their patriotism, or the purity of their lives, yet as they did not believe in the propagation of the gospel according to St. Jesse, they were unorthodox outsiders, and must be excommunicated as unclean! Who that knows anything of our distinguished Senator could ever have comprehended this without the pious solution of Mr. Hooker? Let us profoundly thank him both for his piety and his logic; and let us thank all the foes of freedom for the glaring sophisms to which they have been compelled to resort by the blows we have dealt.

My friends, I must not detain you longer. Were it right to do so, I could refer to many other facts prophetic of the triumph of our cause. Calhoun, Clay, and Webster, the idolized leaders of the great hosts of slavery, have all gone to their reckoning. The mad and mercenary cry of "danger to the Union" has been shamed into silence by the sober second thought of the people. The multitudinous heaps of "lower law" sermons, scattered through the land two or three years ago by atheistical doctors of divinity, have gone down to a grave of infamy from which there



can be no resurrection. And our Fugitive Slave Act itself, with all its villainy, not only has the credit of giving birth to "Uncle Tom," but of extending and vitalizing a great system of subterranean railroads, all the lines of which are now striking larger dividends than at any time since the formation of the government. In view of such facts, upon which I cannot now enlarge, and of the glorious future toward which they are hastening us, suffer me to exhort you to courage, constancy, and an unfaltering faith. Let us remember that the beautiful horizon of light which now salutes our vision has been educed from a season of darkness and gloom ; and whilst we feel encouraged by our progress thus far, by the justice of our cause, and by the smiles of our Maker, let us consecrate ourselves anew to the great service which lies before us.

## THE SLAVERY QUESTION IN ITS PRESENT RELATIONS TO AMERICAN POLITICS.

DELIVERED AT INDIANAPOLIS, JUNE 29, 1855.

[The final disruption of the Whig party, followed by the repeal of the Missouri Compromise and the simultaneous birth of Know Nothingism, inaugurated a strange political dispensation with which the speech here reprinted deals unsparingly. It appeared at the time in the "National Era," and "Facts for the People," and was addressed especially to the anti-slavery men of Indiana, whose policy it rebuked; but its fearless arraignment of the Know Nothing movement, and of the slippery tactics of the "Anti-Nebraska" leaders, gave still further and more general offense. The madness of the times, however, soon passed away, and the speech is now submitted as its own best vindication.]

MR. PRESIDENT AND FELLOW-CITIZENS, — I confess to some degree of embarrassment in approaching the discussion of the slavery question at this crisis in its history. It has assumed an attitude so novel and peculiar in its relations to American politics, and is so complicated with strange and alien elements, that I can scarcely hope to present my views of present duty without giving offense to some, and perhaps arousing a certain antagonism among those who have heretofore walked together as brethren. My task is a delicate one, and I regret, sincerely, the causes that have made it so. I shall, however, in the exercise of free speech, and with that plainness which I am accustomed to employ, give utterance to my own deliberate convictions, holding no man or party responsible for them, and only asking, in their behalf, such consideration as they may be entitled to receive at your hands. I desire to address myself, to-day, to anti-slavery men; and I begin by remarking that the grand obstacle to the spread of free principles is the lack of a just comprehension of our movement. It is not only grossly misconceived by the great body of the people, but many, I fear, who are set apart by common consent as its peculiar friends, either do not understand, or perceive but dimly, its real magnitude. The cause of Human Rights is not one to be dragged down to the level of our current politics, and confounded with the strife of parties and the schemes of place-hunters. It is not to be hawked about in the political market, and advocated with a zeal

which instantly expires when the temporary occasion of it has disappeared. We dishonor the cause, and bring our own integrity into question, when we suffer it to be placed alongside the comparatively trifling and ephemeral questions of the day, and to be dealt with as such, instead of elevating it to the dignity of a great moral enterprise, to be steadily prosecuted, whether honor, advantage, and immediate success, on the one hand, or obloquy, suffering, and present defeat, on the other, shall be the result of our fidelity. The question of human freedom is not a question of one nation, or one race, but of all nations and all races. Ours is preëminently a Christian movement. Its grand idea, its central, life-giving principle, is the equal brotherhood of all men before their common Father in heaven; and its mission is the practical vindication of this truth. We are to make it the animating spirit of the religion, the morality, and the politics of this nation. We are to rescue the doctrine of a common brotherhood from the limbo of unmeaning abstractions, and make it incarnate in the popular heart. "One God, one humanity, one love from all for all," — this is the platform of the abolitionist, and this is the platform of the Christian. The work we are striving to accomplish, therefore, coincides with Christianity itself. The obstacles which oppose the liberation of three and a half millions of American slaves, are the obstacles which oppose every enterprise looking to the reign of "peace on earth and good-will to men." Contempt for humanity is the foundation of slavery, and of every species of oppression and wrong; respect for humanity is the foundation of freedom, and the grand condition of the world's advancement. Abrogate the infidel law of Hate, which regards man as a child of the devil, and enthrone in its stead the Christian law of Love, which reverences him as the child and moral likeness of his Maker, and not only will the chains of the slave fall asunder, but the curses of land monopoly, the cruel exactions of capital over labor, the cold-blooded rapacity of avarice, and every other form of "man's inhumanity to man," will be sent howling from the face of the earth.

Here, Mr. Chairman, on the great rock of Christianity, and on no narrower or frailer foundation, should we erect the altar of freedom, and offer our sacrifices. This is the only true stand-point for the anti-slavery party in the United States, and we should resolutely and unitedly maintain it, in the face of all opposition. Principle and policy alike require that we stand on Christian ground, and on no account should we forego a position which alone can render our cause impregnable, and which is so much needed to cheer us under

the many discouragements to which it is perpetually subjected. We are branded as infidels. Let us say to the world that we wage war against slavery *because we are Christians*, and that to us rightfully belongs the prerogative of sitting in judgment upon the popular religion of the country, and pronouncing upon it according to its fidelity or its infidelity to the great doctrine of human brotherhood. We are upbraided with having but "one idea." Let us reply, that we borrow it from the New Testament, in which we find it appealing to us as the "one idea" of the founder of our religion, and that that idea is large enough to comprehend the moral universe. We are charged with an undue measure of zeal in the advocacy of our cause. Let us answer, that the system of American slavery is the hugest and most frightful denial of the central truth of our religious faith, the most atrocious libel upon justice and humanity, that now confronts Heaven on any part of our globe. We are reproached with our weakness as a party, and sometimes our own doubting hearts whisper to us that our struggles have proved but so many failures. Let us remember, that so holy an enterprise must necessarily encounter every form of human selfishness, and be subject to those conditions by which every other good work has been retarded; that, in the nature of things, it can only keep pace with the gradual but slow progress of Christian principles in the community; and while we thus learn a lesson of patience, let us ever bear in mind that Heaven itself is pledged to the ultimate success of our sincere endeavors.

That our movement is not understood, not uniformly referred to the grand principle which underlies it, seems quite evident, from the want of any deep and pervading conviction of the wrongfulness of slavery among the people of the free States. Our abhorrence of the institution is from the lips, and not from the heart. We do not hate it with an earnest and robust hatred, that goes out into deeds, but with a sickly and superficial aversion that yields no result, unless it be to debauch the conscience. We hate the negro with a practical vengeance. It is no counterfeit, no mere disguise, but a blighting, scathing, ever-present hatred, under which the colored race withers and is consumed in our midst. Ask the people of Indiana if they hate slavery; and they will point you to their Constitution and laws forbidding colored men from coming into the State, denying those who are in the right of suffrage, taxing them to support the government whilst refusing them any share in the school fund, forbidding them to testify in our courts, and even questioning their right to travel on our railways. Ask the people of



Illinois the question, and they will point to a still blacker code than our own. Do the people of Ohio hate slavery? The General School Board of the chief city of the State recently sanctioned the exclusion of a *white* lad from one of its schools, because one thirty-second part of the blood in his veins was understood to be of African extraction! Sir, the lamentable truth is, that the unchristian spirit of Caste is the dominant spirit in the religious, political, and social institutions of the non-slave-holding States. Has not every slaveholding outrage that has ever yet aroused our people been summarily followed by a quiet acquiescence? And would this be so, if there were any deep central fire of anti-slavery hatred burning in our hearts? Does it not prove much of our hostility to slavery to be a frothy and evanescent sentiment, nursed into life by our politicians, and thrown on to the surface by a temporary swell of popular feeling?

Nor can I regard the late Anti-Nebraska excitement as proceeding from any more radical and healthy conviction. It seems to be prudently following in the line of its precedents. The more sanguine among us, I am aware, have regarded the repeal of the Missouri Compromise as a godsend. They have argued that Northern endurance, already taxed to the utmost, would sink under such a weight; that the slave power would thus dig its own grave; and that wicked institutions must always grow to their full stature, and display all their inherent enormity, before men will earnestly engage in their overthrow. I confess I cannot feel encouraged by this line of argument. It has flavored our anti-slavery dish on other occasions, when the slave interest has trampled down our rights. It has no just application to the contest between the free and the slave States; for, if it be true that our acquiescence in one scheme of aggression emboldens the South to concoct another still more flagrant and alarming, it is likewise true that it prepares the North to submit to it. The enormity of slavery is lost upon us, when displayed by such a process. Not submission to despotism, but *resistance*, is the true method of deliverance from it. We need have no fears that the devilish attributes of slavery will not be exhibited, without any guilty help from us. The Nebraska and Kansas Act of 1854 is a natural fruit of the compromise measures of 1850, and is in no respect more flagitious in principle. It is only a sprout from Daniel Webster's grave. The anti-slavery sentiment that submitted to the former will acquiesce in the latter. Indeed, the very ground on which this new outrage has been generally opposed, proves our repugnance to slavery to be shallow and insincere.

The popular argument against it has been "its breach of an ancient and solemn compact, made for the security of freedom north of the parallel of  $36^{\circ} 30'$  of north latitude." Sir, a thoroughly baptized anti-slavery people would have lost sight of any *bargain* with slavery, in its unhallowed conspiracy to blast an empire by its withering power. I oppose slavery upon principle. I hold it to be wrong *in principle* for one man to be the owner of another, to deny him a fair day's wages for a fair day's work, to rob him of the holiest ties of life and sell him on the auction-block as a chattel, to take from him his Bible and close against him the avenues of knowledge, to annihilate the institution of marriage and spread licentiousness and crime over the land. This I regard as unutterably wicked, independent of any compact, or compromise, by which slavery and freedom may have assumed to dispose of their possessions according to certain geographical lines. Hence I hate slavery wherever I can find it, from the north pole down to thirty-six degrees and thirty minutes north latitude; and when I get there, I go right on hating it all round the globe, wherever I can trace its slimy footsteps. I confess I have not yet mastered the slippery philosophy by which some men loathe and execrate it on the north side of a particular line, and then transfigure it into all blessedness and beauty by the magic of a mere parallel of latitude. This cheap and popular method of hating slavery geographically may do for an Anti-Nebraska man, but it will not do for an anti-slavery man. It may accord with the frigid temper and technical ethics of the mere politician, or the doughface, but it will not satisfy the deep, fervent, uncompromising spirit of the abolitionist. Opposition to slavery as an outrage upon man and a crime against God, as an evil essentially infernal in its very nature, — this alone will avail us in any *bonâ fide* encounter with our Southern masters; and this, I regret to say, has not been the controlling element in the late popular demonstrations in the Northern States.

To prove that the Anti-Nebraska excitement was the product of political rather than moral causes, of transient influences rather than deep-rooted convictions, I might refer to a kindred fact. The stereotyped watchword of the people was, "The restoration of the Missouri Compromise." It is true, that in several States the anti-slavery demand went beyond this, but this was the effective rallying cry in marshaling the different wings of the movement under a common banner. It was a deceptive, and therefore a false, issue. I certainly do not repine at the victories that were achieved upon it. I most cordially welcome whatever blessings they may bring

in their train. I rejoice that the administration has been rebuked, and rebuked with emphasis ; and that although no intelligent man could have believed the restoration of the broken compromise a practicable thing, there was yet manifested an unmistakable purpose to brand with public reprobation the perfidy that had destroyed it. The malady of the party in power demanded the physic thus administered. But the issue, I insist, was unworthy of the crisis. It was an instrument on which very different tunes could be played. It had a face looking both North and South. The policy of restoring the Compromise, in one of its aspects, was anti-slavery, since it would prevent the curse from spreading over soil that was free ; but in others it was incurably pro-slavery. To restore this Compromise would be to propitiate the *spirit* of compromise, which has been the great curse of our cause. It would be to reaffirm the binding obligation of a compact that should never have been made, and from which we should seek the first favorable opportunity of deliverance. It would be to recognize the slave power as an equal and honorable contracting party, waiving its violated faith, and thus precluding us from pleading its perfidy in discharge of all compromises from the beginning. It would be to go back, by the shortest and cheapest route, to the compromise measures of 1850, and the Baltimore platforms of 1852, instead of forward to the platform of the Free Democracy. It would be to degrade our cause to the level of those who studiously wash their hands of all taint of abolitionism, and only wage war against the administration because it broke up the blessed reign of peace which descended upon the country in the year 1850. Sir, had we in the North been animated by a spirit equal to the crisis, we would have said to our Southern friends, " We do not ask you to restore the Missouri Compromise. The breach you have made is one we do not desire to heal in that method, but we are resolved to march through it to the fullest assertion of our constitutional rights. We do not mean to play into your hands under a hypocritical mask, or attempt the folly of firing a double battery against freedom and slavery at the same time, but we mean to avail ourselves of your treachery in building up the very cause you have sought to destroy. You have trampled upon your plighted faith to us that Kansas and Nebraska shall be free, by ruthlessly breaking down the wall which guarded them ; and now, by way of redressing the wrong you have done us, and as some atonement for it, we not only demand that these Territories shall be preserved free by law, but that all territory shall be thus preserved, whether at present owned or hereafter to be acquired by the govern-



ment ; that not another slave State shall ever be admitted into this Union, either from Utah, New Mexico, the State of Texas, or elsewhere ; that the Fugitive Slave Act shall be unconditionally repealed ; that slavery in our national district shall be abolished ; and, in fine, that the curse shall be hurled back upon the States which it scourges, to live if it can, or die if it must, by its own local enactments. You have made manifest your purpose to nationalize slavery in this Republic ; we now proclaim our fixed purpose to denationalize it. You have broken a time-honored compact, when you can no longer use it to your advantage ; we now make your breach the exodus of our people from the bondage of all compromises."

This, sir, would have been our position, had we been in earnest. The Nebraska iniquity was only a single link in a great chain of measures aiming at the absolute supremacy of slavery in this government, and thus inviting a resistance commensurate with that policy ; and to cut down the issue between slavery and freedom to so narrow, equivocal, and half-hearted a measure, at a time when every consideration plead for radical and thorough work, was practical infidelity to the cause and the crisis. It was sporting with humanity, and giving to the winds a glorious victory for the right when it was almost within our grasp. It was, in fact, stabbing freedom in its vitals, and closing up an artery in the slave power, madly opened by its own hand, which threatened to bleed it to death.

Mr. Chairman, the view I have been enforcing is confirmed by the general course of political action against slavery. I refer, more particularly, to the party styling itself the Free Democracy. I certainly would not speak of this organization in any terms of undue disparagement. I have myself been recognized as a member of it, and have trusted in it as an instrumentality likely to accomplish great good for the anti-slavery cause. Its existence was a necessity, springing out of the pro-slavery servility of the old parties, and it promised to destroy them, as an indispensable preliminary to any effective help for the slave. In this needed work of destruction it has been successful to a very considerable extent, and so far is entitled to general gratitude. It has done excellent service in forcing the slavery question into general discussion, and sending to our national legislature some noble representatives of its principles, who have given it an influence it could not otherwise have exerted. The controlling purpose of the party at its formation was the divorce of the Federal Government from slavery, by keeping it actively and perpetually on the side of freedom ; and its members pledged



themselves to "fight on, and fight ever," till a triumphant victory should reward their exertions. Young, vigorous, and withal claiming to be "healthy," it went forth for a season upon its mission, striking terror into the slave power and its abettors, kindling the fires of agitation, drawing to its standard the better sort of men in the old organizations, and wanting only faith, patience, and fidelity, to insure it a glorious triumph, in the fullness of time appointed by Providence for all great moral achievements.

But, sir, where now is the Free Democracy? Is it dead, or only sleeping? Has its mission been abruptly terminated, or has it yet a future? Perhaps it still lives, but it has, I know, received some terrible shocks from the combined assaults of Anti-Nebraskaism and Know Nothingism; and if a competent political doctor were called in, he would probably find the patient in a state of great prostration, accompanied by a painful difficulty of breathing. Sir, why is this? How comes it to pass that men who had braved the proscription of the old parties and dared to stand for the right for six or seven years, should so suddenly grow weary, and exhibit such eagerness for new associations? Whence came the strange infatuation that has invested *fusionism* with such charms, despoiling many of the leaders of the Independent Democracy of their courage and strength, and causing its rank and file to skulk like cowards into the dark camp of Know Nothingism, and identify their fortunes with the mongrel and invisible hordes that rally under its banner? And why should the Free Democracy die with the Whig and Democratic parties? It was delightful, I admit, to see the end of these organizations approaching, after they had so long cumbered the ground and cursed the cause of freedom, and I can readily pardon some acts of indiscretion, even some degree of anti-slavery delirium, in the near prospect of an event so very prophetic of the "good time coming." But our singular misfortune was, that instead of borrowing new life from the death of these parties, instead of absorbing their vitality as it ebbed away, and thus appropriating it to our own life, we determined that our time to die had come also. Certainly! Why should not Free Soilers "follow in the footsteps of their illustrious predecessors?"

To say that we would "fight on, and fight ever," was a mere philanthropical flourish. Was not our organization got up purely to worry and bedevil the old ones to death, and not as a permanent movement designed to displace them? Why should we struggle against the immense odds that encounter us, in the vain endeavor to bring the people up to our high ground? Why not

come down from our exclusiveness, freely affiliate with them, and adapt our action to their slower movement? Why not strike our colors, disband our little army, go with the multitude, and commit the result to Providence and the politicians? Such appeared to be the logic of hundreds and thousands of Free Democrats; and the result is, the disruption and dispersion of the party at a time when both principle and policy demand its continued existence. I beg here not to be misunderstood. I have never had any idolatrous attachment for this party. I have regarded it only as a means; and if I have been devoted to it, it was because of my devotion to the great *end* which I believed it fitted to accomplish. I have never been so silly as to look upon the Free Democracy as a great tree, on which all the birds of the air must come and sit, or a great net, in which all the fish of the sea must be caught. When freedom shall have her final triumph, it will probably not be under any single name, or in honor of any exclusive leadership, but by such a gradual diffusion of anti-slavery truth as shall at length pervade the minds and sway the hearts of the people of these States.

The spread of our principles is the grand object; and this, I insist, can best be done by steadily and inflexibly prosecuting a high aim, and trusting in the power of an honest example to bring the people ultimately to our standard. When we saw, as we thought, the Whig and Democratic parties passing away, and proudly felt that these great bulwarks of slavery, mainly through our agency, were at last about to be overthrown, we should have remembered that their disintegration is one thing, and the organization of their fragments into a new party, upon broad and well-defined issues, is quite a different thing. We should have remembered, in the language of Whittier, that "The waster is the *builder* too;" and that, if the people were not ready to lay hold of our fundamental doctrines, we could not *fuse* with them, but must uphold our standard as the only means of drawing them to us or toward us. We should have maintained our ground and beckoned the people to come up and possess it, instead of meanly deserting it ourselves for some narrow issue, and then vainly expecting them to advance beyond it. Instead of dying as an independent organization we should only have agreed to cease our separate work on condition of being *translated* into a larger movement, first committed to the essential articles of our faith.

This, sir, has been the fatal error of Free Democrats, especially here in the West. The truth is, our party has been tainted with

an unhealthy element from the beginning. Some rather suspicious characters officiated at its birth and baptism at Buffalo, in 1848. We then took into our embrace many who were as alien to our principles as light is to darkness, or as Native Americanism is to anti-slavery. I fear we were swayed then, as we have sometimes been since, by a measure of that expediency which we had condemned in the old parties. We were animated as much, perhaps, by a desire to have the multitude go with us, as by an overmastering fidelity to our cherished convictions. As a party, there is some reason to apprehend that we have never been soundly converted. We are too much inclined to worship success, and we decidedly prefer that it should be immediate. We are not plenarily inspired with that earnest, all-trusting faith, that becomes the genuine disciples of the truth, and that even gathers strength as the opposition to it increases. Our zeal too often blazes forth by spasmodic fits, without any steadfast fervent heat within to sustain it. We easily grow disheartened at our numerical weakness and the forces arrayed against us, forgetting that the real power of a party, justly considered, lies not in the numbers it can muster, but in the truth it teaches, and the loyalty with which it maintains it. In overlooking this fact we are led into perpetual temptations, and blinded to the path of duty. We are induced to overrate the value of present success, and thus to achieve it, if we can, by the unscrupulous arts of the politician. The martyr spirit dies out in our ranks, and as we descend, step by step, to the level of other parties, and apparently enlist them on our side, we lose our distinctive character as anti-slavery men and with it our power to serve the cause, and thus find our weakness in that which we foolishly mistook for our strength. By narrowing the issue we had made with slavery, and incorporating the new principle of hostility to Catholics and foreigners, our movement, in the opinion of some, has grown immensely in numerical power; by incorporating the kind red and equally orthodox principle of hatred toward negroes, still larger numbers might be enlisted. But, in the mean time, what would be the fate of the anti-slavery enterprise? Sir, with parties, as with individuals, it is *character* that constitutes real strength; and this must often be obtained by the sacrifice of popularity and present success. Who has not witnessed the power of one bold, honest man, in making an unpopular cause respected, and putting a thousand enemies to flight?

Character is everything. It is priceless; and if a man so regards it, if he is willing to sacrifice all temporal honors and advantages,

even life itself, on the altar of his fidelity, he gives to the world a testimony that is worth more to the cause he espouses than any temporary success could possibly be, achieved by a compromise of his integrity. He shows forth an example that will be an ever-living fountain of inspiration and strength. The real benefactors of our race have not been worldly-minded calculators who prudently adapted themselves to current opinions or practices, but bold and independent spirits who braved every form of peril and suffering in upholding a lofty ideal of duty. The world bears witness that they have succeeded, in the highest sense of the term, and that the *kind* of influence men exert in favor of a cause is far more important than the *quantity* of it. Had the Free Democracy been inflexibly true to its best ideas, had it maintained a position of immovable firmness, like a rock in the sea bidding defiance to winds and waves, what a glorious tribute it would thus have offered to the cause of freedom! I cannot pretend to say what its numbers would now have been, but I know that such an example must have been contagious, and that our power, as an independent movement, would have been immensely augmented. Instead of a shattered organization, sinking into a common grave with the Whig and Democratic parties, and dishonored by the meretricious embrace of Native Americanism, we should now have found it germinating into new life upon their ruins, knit together as a unit by the intensity of a common zeal for freedom, commanding its own fortunes instead of committing them to the keeping of its foes, and thus holding in its own hands the destiny of our cause. At all events, and more than all else, it would have stood before the country in the uprightness of a genuine manhood, and with the resolve of a martyr to be true. Here, sir, has been our weakness, and herein is seen how poorly we comprehend the dignity of our cause, and how feebly we espouse it. We desire to lean upon it, whilst pretending to give it our support. We do not ally ourselves to it with a perfectly unselfish devotion, resolved to stand by it, cost what it may; but our aim too often is to make it accommodate some private end, or to advance it by methods that shall not injuriously affect our worldly interests. Think of the early confessor of freedom, enduring every outrage that popular exasperation could invent, — mobbed, pelted, hunted down as an outlaw or a wild beast, and often facing death itself, and yet showing forth his faith in God and in the truth through these fiery trials, and thus sowing the seeds of freedom in sufferings and sacrifices that were absolutely necessary to its growth, — think of such heroism



as this, and contrast it with the course of the modern anti-slavery politician, distrusting the power of his own principles, intent upon disarming them of their unpopularity, perpetually deferring to the ruling influences of society instead of bravely withstanding them, and even blindly abjuring his creed and enlisting in the ranks of Know Nothingism, in the hope of thereby hastening the millennium of freedom !

But I leave these reflections and come now to the latter topic. I have alluded to it incidentally, but I now propose to speak of it in direct terms ; and I shall do so, more especially, on account of the unfortunate deflection of the anti-slavery sentiment of the country which it has occasioned, and shall thus follow out the line of discussion already begun, by demonstrating more fully the want of any just comprehension of our movement, or any intense hatred of the institution of slavery, among the people of the free States.

I object to Know Nothingism, in general terms, because, judged by the light of principle, it is utterly indefensible. It is radically vicious in spirit. It tramples down the doctrine of human brotherhood. It judges men by the accidents of their condition, instead of striving to find a common lot for all, with a common access to the blessings of life. It makes its appeal, not to the reason, but to the unenlightened prejudices and misdirected passions of the people. It excites our abhorrence by veiling itself in darkness, in a land in which the people are their masters and discussion is free. It is not called for by any real need of the times. It is at war with justice, humanity, republicanism, and the gospel of Jesus Christ. It is, when dragged to the light, a bald and ghastly heresy, wanting even the thin covering of a decent fallacy to hide its naked features.

Considered more particularly, I oppose it, first, because of its false assumption of danger from the Romish Hierarchy. According to the late census, the Protestant churches of the United States are about thirty-two times as numerous as the Catholic, and can accommodate more than twenty times as many worshippers. The proportion of adult Catholics of this country to the whole population is only as one to twenty-eight. In the State of Virginia, where the Order seems to flourish, the Catholic churches cannot accommodate one hundredth part of the number receiving accommodations in the Protestant churches. These, sir, are the facts by which this new-born scheme of bigotry and intolerance must be tried. This is the monstrous power that is to swallow up our liberties, unless politicians and priests unite in open and secret combi-

nations to check its aggressions. Now, I ask, can any man feel alarmed who will allow himself to reason? The Papacy, like every other force in society, must submit to those necessary conditions of life which surround it. It has seen fit to take up its abode in our Democratic Republic, and, in doing so, it has been compelled to divest itself of its most odious and repulsive pretensions. It may exert a pretty decided influence upon our civil and ecclesiastical polity; but while thus acting, it will be incessantly and most powerfully acted *upon*, by the spirit of free inquiry, by our republican institutions, by our free schools, and by that general and traditional repugnance which all Protestant denominations cherish toward it. Herein lies the great blunder of Native Americanism. It supposes Catholicism to be an eccentric force, disowning all law but its own, entirely cut off from those conditions of time, place, and circumstance, by which all other institutions are modified and controlled. Sir, it is impossible, in the very nature of things, that the Papal power should now be felt in the United States as it is in Italy or Spain, or as it was felt in those countries ages ago. It must obey the law of its condition, and can no more withstand the multiplied moral forces which perpetually beat against it than the physical world can withstand the laws which make it their slave. To suppose our Republic seriously imperiled by it is to suppose the ages of darkness are about to return, and that, after all, the Catholic faith is destined to prevail over the world. "Every school-house is a barrier against it. Every printing-press is a battlement. Every steam-car is a battering-ram to break it in pieces." Free thought, its free utterance, a free press, an open Bible, and a hearty trust in the almightiness of truth, — these are the only weapons needed here in the warfare against error; and in the hands of twenty-five millions of Protestants there is wanting even the *shadow* of a pretext for secret combinations, or any sort of extraordinary measures in defense of our constitutional rights. Protestantism, with such advantages, can afford to fight its battles in the open daylight of the world, and it dishonors itself when it invokes the machinery of despotism in its behalf. It confesses itself unfit for its mission, and thus strikes at its own life.

And this brings me to my second objection to Know Nothingism. Granting that our institutions are in danger from the rapid growth of Romanism among us, I oppose this new crusade against it because its method of opposition must necessarily aggravate, instead of mitigate, the mischief sought to be cured. Secrecy, indeed! Our Model Republic loving darkness rather than light! American

Democracy carrying concealed weapons! American Protestantism stealing the livery of the Jesuit, and at the same time raising the war-cry against Rome! The rights of conscience vindicated by a great American party which makes Catholicism a religious test, whilst its members surrender their own private judgment and freedom of action to the majority of the councils to which they belong! Has it come to this? Was the Reformation a failure? Were John Milton, Roger Williams, and William Penn, weak-headed fanatics? Is Protestantism to be saved and sanctified by men who systematically trample it in the dust? I could not be a Know Nothing, for the very reason that I am a Protestant. With me, Protestantism is too precious, too sacred, to be thus dishonored, even for its own sake. It is our life-blood as a people, and can only be preserved pure by circulating freely and naturally through the body politic. Our Native American friends, by professing a peculiar zeal for it, and at the same time joining a secret, oath-bound political order for the wholesale proscription of Catholics, prove themselves to be Jesuits in policy. Were they real Protestants, they would have faith in Protestantism as a principle; and they would show that faith, not by violating it, but by trusting it, and standing by it, in example as well as precept, under all temptations. They would recoil from even the thought of laying aside their legitimate weapons, to which Protestantism is indebted for all its genuine growth and strength, for the sake of employing either fraud or force in maintaining their cause. Their hatred of Jesuitism would make them the last to imitate its unhallowed practices. They would feel that the best possible service of Protestantism is the testimony of a consistent example, and that its worst foe is the weakness that would build up its power by methods wholly at war with its first principles. No good cause has ever yet been helped by enlisting the devil on its side, because no man has been found wise enough to tell how to employ him without thereby fortifying his citadel instead of bombarding it.

No, sir. If Protestantism wishes to palsy the rampant spirit of Romanism, it must not borrow that spirit, nor adopt its tactics. The work that should chiefly concern it is at home. Its worst enemies are those of its own household. Mr. Macaulay, in his masterly speech on the removal of civil disabilities from the Jews, says truly: "Christianity triumphed over the superstitions of the most refined and of the most savage nations, over the graceful mythology of Greece and the bloody idolatry of the Northern Forests. It triumphed over the power and policy of the Roman Empire. It

tamed the barbarians by whom that empire was overthrown. But all these victories were gained, not by the help of intolerance, but in spite of the opposition of intolerance. The whole history of Christianity proves that she has little indeed to fear from persecution as a foe, but much to fear from persecution as an ally."

This is a truth which Know Nothingism seems entirely to overlook. Let Protestantism, in the first place, understand itself, and define its own position. Let it digest its own manifold crudities, and purge itself of the spirit of persecution which has darkened its history from the beginning and stayed its progress through the world. Let it exemplify, in actual practice, its boasted dogma of the sufficiency of the Scriptures and the right of private judgment, which it never yet has done as a general rule. Let it spew out, and cast from it with loathing, the execrable policy of Know Nothingism, which has assumed to act in its name, and the principles of which would fairly justify the most atrocious forms of religious persecution. Let it remember that the proscription of Catholics for their religious opinions is just as detestable as the like proscription of Protestants; and that the only true ground to stand on is the sacred right of every man to enjoy, without molestation, the faith he prefers. This alone, sir, will render Protestantism invincible, and at the same time most effectually cripple the power of Rome.

And here, Mr. Chairman, I am naturally brought to a third and kindred objection to Know Nothingism. I do not think well enough of Protestantism, in its present guilty complicity with American slavery, to enter the lists with it in its newly organized warfare against Popery. I should feel myself in strange company. I do not know how many slaves are held by American Catholics, but the number cannot be very great, judging from the number of Catholics in the South. Of our Protestant denominations, the Methodists, North and South, in the year 1853, owned 218,000; the Presbyterians, Old and New School, 80,000; the Baptists, 125,000; the Episcopalians, 80,000; the Disciples or Campbellites, 100,000; other denominations, 60,000, — making, in all, 663,000 slaves held by the ministers and members of the Protestant churches of this country! And the American Tract Society, the American Sunday-school Union, the American Board of Foreign Missions, and, in short, all the grand instrumentalities which these churches employ for the spread of knowledge and religion throughout the world are controlled by the Slave Interest. In this particular they seem to fill the Know Nothing measure, for they are completely "*Americanized!*" They expurgate the religious literature of the country,



with a studious reference to the feelings of the slaveholder. They even plunder and defile the school-books of our youth in order to propitiate their Southern membership. They prefer denominational sway to the propagation of a pure faith. The most popular and influential clergymen of these churches united with Castle Garden patriots in 1850 in "saving the Union," and inundating the land with lower-law sermons. These religious bodies may have made some progress during the past few years, but they are essentially on the side of the oppressor to-day. They are the right arm of the slave power. In the language of Albert Barnes, so often quoted, "There is no power *out* of the American Church that could sustain slavery *an hour*, if it were not sustained *in it*!"

Mr. Chairman, if Christianity teaches the brotherhood of all men, and the breaking of every yoke, what sort of a God do these churches worship, and what sort of a religion inspires them? How much better, in the light of these facts, is our boasted Protestantism, than the Romanism we are so eager to destroy? How much worse is the Catholic priest of our country, or even the Pope himself, than our Protestant clergyman who could send his own mother or brother into slavery, in testimony of his allegiance to the lower law, or write such a book as "The South Side View of American Slavery?" And how is it, sir, that the zeal of our Northern Know Nothings waxes so strong against "Babylonian abominations," whilst here we have a Native American Babylon, upheld by our Protestant sects, whose infernal sway over three millions and a half of human beings for whom Christ died makes the corruptions of Rome dwindle into insignificance, whilst it strengthens the arm of despotism, and stifles the voice of freedom, throughout the world?

Sir, I submit that our Protestantism should perform a lustration, to purify itself from this transcendent wickedness, before it attempts any new assault upon an outward foe. It should be ashamed to raise the alarm at the spread of Popery and false doctrine, whilst it outrages Heaven by its impious denial of the first lesson of Christianity. It should slacken its zeal in building up its power until it ceases to fill the ranks of infidelity, and turn religion itself into scorn, by its revolting espousal of "the vilest system of oppression that ever saw the sun." It should not strain at the gnat of American Catholicism, whilst it swallows down at one gulp the huge camel of American slavery. In a word, it should speedily enter upon the work of a thorough repentance, by faithfully applying its own professed principles in the cure of its own

sins ; and its example, as I have already insisted, will exert an influence far more potent in checking the power of Jesuitism than any organized secret machinery can possibly wield.

In the next place, I oppose this new Order on account of its proscription of foreigners. The whole number of these now in the United States is only about 2,000,000 ; and the whole number of foreigners and their descendants, from the year 1790 to 1850, is only about 4,000,000. The entire foreign vote of 1850 was only 270,430. This political and social element among us, so alarming to many, is mingled with our native population, now numbering say 25,000,000, and spreading over a territory reaching from the Atlantic to the Pacific. Experience has shown that we need the help of our immigrants in developing the physical resources of the country, and building up the interests of freedom and free labor, whilst they need the opportunity we tender them of becoming owners of the soil and valuable citizens of the Republic, instead of the starving vassals of foreign despots. Let them come. Trodden down by kingly power, and hungering and thirsting after the righteousness of our free institutions, let them have a welcome on these shores. Their motive is a very natural and at the same time an honorable one, — that of bettering their lot. They prefer our country and its government to every other, however poorly enlightened that preference may be. “The foreigner,” says Gerrit Smith, “has given one great proof of possessing an American heart which our native could not give ; for whilst our native became an American by the accident of birth, the emigrant became one by choice ; whilst our native may be an American, not from any preference for America, the emigrant has proved that he prefers our country to every other.” To proscribe him on account of his birthplace is as mean and cowardly as to proscribe him for his religious faith or the color of his skin. It is the rankest injustice, the most downright inhumanity, and can only be defended by the most driveling sophistry. The celebrated Dr. Lieber, in a late letter, commenting on the fallacy that adopted citizens are less American in feeling than our natives, uses this language : —

“Among the most eminent or most widely useful American divines, there have always been, and are to this day, many born on the other side of the Atlantic. The same will be found to be the case, if you examine the list of great advocates and of American statesmen throughout the land. The same is true of teachers, authors, philosophers, of physicians, of editors and artists, merchants, artisans, and farmers, of navigators and architects, of manufacturers and inventors.”

He insists that throughout all history, ancient and modern, we will find among the most devoted and patriotic citizens names of foreign birth. Hear him adduce his facts : —

“Has any mind shed greater lustre on illustrious Athens than Aristotle? Aristotle was a foreigner, and came to Attica when seventeen years old. Has there been any Spaniard more Spanish than Columbus? Columbus was a Genoese. Has there been a Frenchman more French than Napoleon, and Cuvier, and Constant? Napoleon was an Italian; Cuvier, by birth and education, a German; Constant a Swiss. Who carried the Netherlanders through the direst war of Independence on record, and who founded the Republic of the Netherlands? William of Orange, a German. Has England ever had a more English king than William III., the Netherlander? Has Germany ever had a more German leader than Eugene of Savoy? Who was Catharine of Russia, that made her the great Power? She was a German woman. Has Oxford ever had a greater professor than Erasmus, of Rotterdam? The very country in which the Know Nothings now revile the foreigner was discovered by Cabot, a Genoese, in the service of England. The proto-martyr of the American Revolution was Montgomery, an Irishman; so was Barry, called the father of the American navy; and Paul Jones, the bold and early captain, was a Scot. Were De Kalb, Lafayette, Hamilton, Gallatin, no Americans? Mark the list of signers, and see how many were ‘foreigners.’ The hue and cry against foreigners belongs to Pagan antiquity, when one word served for foreigner and enemy; but not to Christianity. The very word Christianity rebukes Know Nothingism.”

Sir, the creed that tries men by the latitude and longitude of their birthplace, instead of their character, and honors or degrades them accordingly, is not only Pagan, but monstrous. It insults common sense, and confounds all distinction between right and wrong. The Divine Founder of our religion teaches that God is no respecter of persons; that nationalities are of small account; that all men are brethren; that the accidents of humanity are nothing, and Man is everything. Native Americanism discards all this as the foolishness of preaching; and whilst it clutches its cold-blooded dogmas, and stabs Christianity to the heart, whines sanctimoniously over the growth of the Papal power! And, stranger than all else, thousands of anti-slavery men, who have for long years plead for the elevation of the African on the ground of a Christian brotherhood of all, are now fighting under this Infidel banner, and thus aiding a movement which completely justifies the enslavement of the negro and every other form of despotic rule. Do they not see that they are murdering the cause of freedom by such conduct? Can an Abolitionist embark in such an enterprise without flatly contradicting the very first principles of his faith? Can *any* man justify it? Is the foreigner to blame for having

been born on the other side of the Atlantic, or the native to be praised for having been born on this? Not having been consulted on the subject beforehand, is it not a shameless mockery of justice and decency to deal with him according to any such test? You might as well disfranchise the emigrant for the size of his head, the length of his arm, the virtues or vices of his neighbors, or the height of our mountains. You might as well openly repudiate the New Testament, and institute a new code, requiring every man, upon the pains and penalties of the Order, to be born in America, and describing the general judgment as a grand inquest for determining who shall be admitted into the kingdom, and who rejected, on Native American principles. For if the foreigner is unfit for good society here, can he be suffered to enjoy it in the world to come? And *could* he enjoy Paradise in the companionship of Know Nothings? Would not heaven itself be turned upside down, if the Order should have its way?

Mr. Chairman, there need be no sort of difficulty in solving this problem of foreignism, if we are willing to deal justly. "Emigrants and exiles from the Old World," using the language of the Pittsburg Platform, "should find a cordial welcome to homes of comfort and fields of enterprise in the New; and every attempt to abridge their privilege of becoming citizens and owners of the soil among us, ought to be resisted with inflexible determination." They have the same right to come here as had our forefathers. When they have cast in their lot with us, let them be treated as Americans. If they violate the laws, let them be punished. If they demean themselves as good citizens, let them be recognized as such. Let the heathen spirit of Caste be exorcised, in our dealings with them as well as the negro. If they give themselves up to intemperance, unthriftiness, and a life of mere animalism, let us strive to enlighten and elevate them, as we would our own people under like circumstances. If, under the lead of foreign ruffians or Jesuits they become clannish, and inclined to take sides against us, let every good citizen rebuke them. If our native demagogues and pot-house politicians pander to their ignorance, for selfish ends, let us apply the lash to *their* bare backs, instead of making the deluded foreigner the vicarious victim of a chastisement he does not deserve. In short, let the alien races among us be treated according to their deserts, in the light of their numbers, intelligence, and character. Under such a policy, demagogues and their tools would soon find their true level. Notwithstanding minor diversities, we should become, in spirit, one people. The



solvent power of American ideas would melt and fuse the different nationalities into one common mass, — thus averting the calamity of a furious and unending war of races, by converting into friends and brethren those whom Native Americanism would make perpetual aliens and fireside foes in our midst.

Sir, it is thus manifest, that justice to the foreigner, and our own true policy as a nation, are in harmony. We find our duty and advantage going hand in hand. I have already said that our emigrants are needed here to build up the cause of free labor. As a matter of fact, shown by the census returns, the growth of the foreign element among us has kept pace with that of the Slave Power, and thus prevented that more complete supremacy over us which otherwise would have been secured. It is sometimes said, I know, that our foreign vote is uniformly thrown on the side of the pro-slavery Democracy ; but I answer that, in this respect, our adopted citizens are in the company of a very large division of our native population, including many enlightened and good men. I answer, further, that voting with the pro-slavery Democracy is not *much* worse than voting with the pro-slavery Whiggery, which has likewise been *willing* to receive foreign aid and comfort. I would not disfranchise men in either case, however wrong I might regard their action.

It is further insisted that our emigrants are intensely hostile to the cause of freedom, and the most inveterate haters of the negro. This, at best, can only be partially true. It is refuted by their choice of the free States as their home, and by the known opposition of the South to their migration to our shores. It is contradicted by other facts. The States that have been most anti-slavery, as Massachusetts, New York, Ohio, and Wisconsin, give the largest foreign vote ; whilst those which have been most pro-slavery, as New Hampshire, Connecticut, New Jersey, Iowa, and Indiana, give the smallest foreign vote. These facts are significant. They account for the prevalence of Know Nothingism in the South, where the proportion of foreigners to the native white population is only as two to one hundred, and prove the movement to be, in fact, a crusade against the growth of free principles in the Northern States ; for the meagre force of foreignism in the South can obviously occasion no local mischief. That anti-slavery men, therefore, should actively oppose the settlement of foreigners among us, or even throw the slightest obstacles in the way of it, seems to me perfectly unaccountable. But were it granted that all the emigrants landing on our shores are pro-slavery, it would

not warrant the policy of proscription against them. If so, a very large proportion of our natives would fall within its mischief, including very many whose hypocrisy in urging this objection is beyond dispute. This *nation* is most undeniably pro-slavery.

Similar reasoning applies to the argument often urged, that our emigrants are unfit to exercise the privileges of citizenship. That this is true of many of them, I do not deny ; but it is likewise true of many of our natives. Foreigners are not the only men among us who get drunk ; they are not the only men who profane the Sabbath and God's name ; they are not the only ruffians and vagabonds ; they are not the only pugilists and mobocrats ; they are not the only men who can neither read nor write ; they are not the only men whom demagogues can dupe. In all that constitutes thorough viciousness, corruption, brutality, and the most stupid incompetency, multitudes of our much-lauded native Americans can cope tolerably well with our adopted citizens. It seems to me that a real patriot should have far less desire to see America ruled by Americans, than to see Americans themselves improved in character, loving justice, thoroughly imbued with the spirit of freedom, sternly demanding all rights for all, rigidly squaring our democratic theory of equality, both in our foreign and domestic policy, by the precepts of Christianity, and thus making themselves an example and a power on the earth. This would be an object worthy of the purest ambition. Without these qualifications, the demand, "Let America be ruled by Americans," is the meanest of twaddle. It is tantamount to saying, "Let America be ruled by slaveholders and doughfaces ; let our government continue to espouse the cause of despotism, at home and abroad ; let it trample upon justice and humanity ; let it scoff at the Declaration of Independence, and verge farther and farther from the landmarks of our fathers ; let mere nationality, not character, be the touchstone of merit." Sir, if any class is to be disfranchised, the rule ought to be, "Let America be governed by the intelligent and the virtuous ;" for, on principle, the vicious and ignorant foreigner should fare precisely as well as the vicious and ignorant native.

Lastly, I wage war against Know Nothingism, because it ignores the slavery issue, and thus becomes the practical foe of the anti-slavery cause. Nothing could have been more wisely planned or more opportunely concocted by the slaveholders and their allies. Having sown the wind, in the passage of the Nebraska Bill, something must be done to avoid reaping the whirlwind. They saw the Northern sky darkened by omens of a coming tempest, and something must be done to break its surges. The people could no

longer be humbugged about banks and tariffs ; the old party lines were fadling, and tempting the people to escape from their political keepers ; and the great crisis between slavery and freedom was rapidly and unmistakably approaching. All eyes were turning to the struggle which at last seemed inevitable. Sir, does anybody, familiar with the tactics of the slaveholder, believe that the birth of the Know Nothing Order, just at this crisis, was an accident ? There is both internal and external evidence that it was a design. If the Protestant jealousy of our people, ever ready to take fire, could be kindled against the Pope, it would divert their minds from the slaveholder. If they could be enlisted in a crusade against foreigners, it would have the same happy result. It mattered not that these were miserable bugbears, and would ultimately be seen as such, if they could only be temporarily used in distracting the people and complicating the slavery question. This was the policy, and, under Southern management, it has, as might have been expected, worked like a charm. It has caused the threatened anti-slavery storm to pass off comparatively harmless. It has balked and diverted the indignation aroused by the Nebraska perfidy, which else would have spent its force upon the slave power. It has draped over a high-handed villainy, which might have been a godsend in our hands, “ a fetch upon Divine Providence ” in hastening the freedom of the slave. It has succeeded, as usual, by dividing the people of the free States upon trifles and side-issues, whilst the South has been a unit in defense of its great interest. It has disbanded the Free Democratic Party, which has been a thorn in the side of pro-slavery politicians since its organization, bringing reproach upon the anti-slavery cause, and divisions in the ranks of its friends. Multitudes, hitherto disowning all minor issues as so many stumbling-blocks in the way of progress, and keeping an eye single to the great question of the day, have been enticed into the Order, and, in the vain endeavor to harmonize Native Americanism and anti-slavery, have completely subordinated the latter. By thus uniting with a National Party which proposed no policy whatever in relation to slavery, they have declared their separate-party action to have been a blunder from the beginning. They have fallen back upon the vain experiment of serving two masters, and the vicious morality of doing evil that good may come. They have broken the moral power of their movement by espousing principles glaringly inconsistent with its fundamental ideas.

I do not wish to question the motives of any honest man. I do not deny that many friends of our cause may have united with Know Nothingism, in the hope of thus more effectually aiding the



slave. This does not cure the evil resulting from a false course. We have recently learned through the public prints of a pious attempt to serve the interests of country Sunday-schools by robbing a widow and her helpless children. The cause of freedom is dishonored by serving it on like principles. We smite it to the earth, instead of arming it with power. This is a moral necessity, and it need not surprise us, therefore, to find the ravages of Know Nothingism becoming quite visible throughout the North. That it has done much mischief to the cause of freedom in Ohio I think will not be denied. It has laid it prostrate in Indiana. The editor of its leading organ, having determined last year that America must be ruled by Americans, and that the slavery question was no longer worthy of any special attention, sold his subscription list to a Whig establishment for a "job-office," and summarily discontinued his paper. The Order having ignored the question of slavery, our friends who joined it were ignored likewise, to which they meekly submitted. In the Anti-Nebraska campaign of last year, swayed by an impelling desire for *fusion*, they were generally willing to accept a position of entire subordination, and even of silence, under the captains who commanded them, lest the pro-slavery prejudices of the people should be aroused and their otherwise hopeful anti-slavery progress hindered! In many localities our cause was so complicated with county offices and peculiar local arrangements that it was not thought wise for an anti-slavery man to officiate in its service, and consequently it was handed over to the tender mercies of its foes. As a part of this policy, the public repudiation of our principles by the Anti-Nebraska party was submitted to, and, one backward step having prepared the way for another, the *finale* of the matter is, that while the people have not been converted to our doctrines we ourselves are paralyzed and dumb — many secretly sighing to escape from their unfortunate environment, but unable to see the way of deliverance. And the same pernicious results, though perhaps in a less degree, will be seen in due season wherever the Order has seduced men into its embrace. Time will test the truth of what I say, and prove, I doubt not, that years of arduous and discouraging labor will be needed to recover the strength we have lost, and the advantage we have foolishly thrown away, by our ill-fated connection with a movement which demanded our unhesitating frowns from the beginning.

And now, sir, in conclusion, what is to be done? What is the demand and what the hope of the hour? How shall we make the anti-slavery cause more thoroughly understood, and the woes of slavery more deeply felt by the people? I have already indicated



my answer. Let the true friends of our movement find each other out, and stand together as one man. Let our friends who have been led in an evil hour to affiliate with Know Nothingism immediately retrace their steps, and oppose it just as they oppose slavery itself. Let those who have remained outside of the Order continue their warfare against it. Let it be distinctly understood that an anti-slavery man is, of necessity, the enemy of caste, bigotry, and proscription. Let the brotherhood of all men, without regard to race, color, religion, or birthplace, be the platform on which all may gather; and let us speedily organize our forces for a genuine contest with our foe. Let us thus determine how little, as well as how much, was achieved for the slave in the late elections; what was done for the cause by honest and hard fighting, and what was done against it by the arts of mere diplomacy, in temporarily uniting opposite and irreconcilable elements in an empty and deceptive triumph. Let us be *steadfast* in our work, endeavoring to impart something of permanence to the organization we may adopt, as necessary to success, and thus shunning that instability that would form a new party, with a new name, for every campaign, and thus fritter away our strength in the fickleness of our schemes, instead of husbanding it for effective service. Let us not be troubled about the smallness of our numbers, but solicitous only for the honor of our cause, as the sure means of its triumph, firmly trusting that, through our fidelity, the right result will come. Let us not strive after any personal ends or transient success, but so act, in reference to this great cause, that the calm and final judgment of future times shall be awarded in our favor. "The passions which inflame us," says a great writer, "the sophistries which delude us, will not last forever. The paroxysms of faction have their appointed season; even the madness of fanaticism is but for a day. The time is coming when our conflicts will be to others what the conflicts of our fathers are to us; when our priests who convulse the State, and our politicians who make a stalking-horse of the Church, will be no more than the Harleys and Sacheverells of a by-gone day." Sir, if we are animated by such a spirit as this, we shall not doubt that God will smile upon our labors, and hand us down to our graves in peace; but we shall be sustained by an assured faith, at every step of our progress, whatever may for the time betide us or our cause, that —

"Truth shall triumph at the last,  
For round and round we run,  
And ever the Right comes uppermost,  
And ever is justice done."

## INDIANA POLITICS.

DELIVERED AT RAYSVILLE, JULY 4, 1857.

[This picture of Indiana Politics, carefully drawn during the political lull which followed the campaign of 1856, and now reproduced, will interest many who were lookers-on or active participants in the strifes of the period reviewed. While the interest in the political movements here criticised is mainly local, the moral which they teach has a general value, which the student of politics will scarcely fail to appreciate.]

I AM not here to-day, my friends, for the purpose of entertaining you with an old-fashioned Fourth of July address. This would be as unprofitable to you as it would be unsuited to my own tastes. I propose to speak of those practical questions and present duties which most deeply concern each one of us, and which the existing state of our country naturally suggests. I shall speak only for myself, and with the most unreserved freedom; and I must do this, especially, in dealing with our latter-day Indiana Politics. I shall refer particularly to the policy pursued here by the opposition to the party in power during the past three years; for whoever would understand the true features of our politics at this time, in their various complications, and thence determine the path of duty for the future, must revert to the new dispensation ushered in by the repeal of the Missouri Restriction, and trace the progress of events to the point that has at last been reached. This margin of time affords a fruitful text for profitable discussion. It covers a sort of revolutionary or transitional period, — a season of hopeful chaos, promising new and higher political creations if wise counsels had prevailed, and furnishing, at all events, valuable lessons for our guidance. There is a sense, I know, in which it is well to let by-gones be by-gones, and the dead past bury its dead, but we can never afford to dispense with the lessons of experience. In politics, as in morals, to-day is the child of yesterday and the parent of to-morrow. The past and the present form the warp and woof of one fabric, nor is it possible to sever the cord that unites them, and thus links them to the future. Men might as reasonably attempt to run away from their own shadows, or to dissolve the relation between cause and effect, as to escape the

inevitable consequences of their deeds. It is true philosophy therefore to provide for the future by doing the duty of the present, guided by the teachings of the past, — profiting by mistakes to the extent of shunning their repetition, and causing the past to re-appear where its deeds have proved worthy.

At the beginning of the year 1854 the Democratic party of the Union was largely in the ascendant. As regards the administrative policy of the government it had achieved a signal triumph over its foe, whilst as to the slavery question it was reposing in apparent security upon the compromise measures of 1850. The Whig party had outlived the questions that called it into being, and that party antagonism which kept up its organization years after its main dogmas had been abandoned. As if to demonstrate more fully that its mission was entirely fulfilled it had espoused the democratic creed on the subject of slavery, and perished at last in the miserable attempt thus to prolong its own life.

Under these circumstances the proposition to repeal the Missouri Compromise startled the country. Outside of the old Free Soil Party, which still struggled for its principles, I believe the measure excited less opposition in Indiana than in any other free State. It is true that the Whigs and many revolting Democrats denounced it, but their denunciations were leveled chiefly against the violation by the South of her compact, and the wickedness of reviving sectional agitation, and not against the cold-blooded conspiracy to blast an empire with slavery. Their zeal for freedom appeared to be less a matter of conscience, than of geography, spending its force north of the Missouri Restriction. They talked far more eloquently about the duty of keeping covenants than the evils of slavery extension, irrespective of any bargain, however solemnly made. They loudly demanded the restoration of the Missouri Compromise, not especially because the interests of humanity and free labor plead for it, not as a mere preliminary to other measures which should restore the free States to the fullest assertion of their constitutional rights, but as a means of propitiating the *spirit* of compromise, and a convenient retreat to the adjustment acts of 1850. The sad truth is, that Indiana is the most pro-slavery of all our Northern States. Her Black Code, branded upon her recreant forehead by a majority of nearly one hundred thousand of her voters, tells her humiliating pedigree far more forcibly than any words I could employ. Our people hate the negro with a perfect, if not a supreme hatred, and their anti-slavery, making an average estimate, is a superficial and sickly sentiment, rather than

a deep-rooted and robust conviction. Peopled in large proportion by emigrants from the South and their descendants, with comparatively few from the Middle and New England States, and containing a population of more than seventy thousand white adults who can neither read nor write, it is not strange that the slave power has the control of the State. I mention these facts in this connection because they invite our attention, and should be squarely confronted and honestly dealt with by those who would work wisely for the slave. The organization of an anti-slavery party that shall rule the State is not to be the work of a day. It must be the fruit of time, toil, and patience. We can lay the foundations, broad and deep, but must build as we can command the material. There was an honest element in the struggle of 1854, but it was, to a great extent, overlaid and smothered by adverse influences. We had, strictly speaking, no anti-slavery party. It was simply an *Anti-Nebraska* party, mustering its large numbers by appealing to prejudices essentially hostile to anti-slavery truth, or at best only distantly related to it.

But there were two other questions which entered extensively into our politics at the time of which I speak. One of these was the Temperance Question. Three years ago the rallying cry of our temperance men was "Seizure, confiscation, and destruction of liquors kept for illegal sale." The demand for a law embodying this principle, which had been growing louder and louder since the enactment of the "Maine Law," was reaching its climax. The excitement was at high tide. Many even resolved that this question should be made paramount in the politics of the State, and however time and experience may have moderated our zeal or modified our opinions, such were the numbers, intelligence, and character of the men who embarked in this movement that our politicians were compelled to defer to their wishes. No party could afford to trifle with so potent an influence.

The other question referred to, and which still more complicated our political affairs, was Know Nothingism. Thousands were made to believe that the Romish Hierarchy was rapidly becoming a dangerous power in "The things that are Cæsar's," and that the Man of Sin must be put down at once and at all hazards. Thousands were persuaded that the evils of foreignism had become so alarming as to require the most extraordinary measures to counteract them, involving even the grossest injustice to the foreigner himself that our native demagogues might be rebuked for pandering to his ignorance or brutality. Thousands, misled by designing



knaves, through the arts of the Jesuit, believed that the cause of freedom was to be sanctified and saved by this new thing under the sun. Thousands, swayed by an unbridled credulity, thought that political hacks and charlatans were to lose their occupations under the reign of the new Order, and that our debauched politics were to be thoroughly purified by the lustration which it promised forthwith to perform. Thousands, eager to bolt from the old parties, but fearful of being shot down on the way as deserters, gladly availed themselves of this newly devised "Underground Railroad" in escaping from the service of their old masters. Under these various influences, but chiefly actuated by the extraordinary feeling which prevailed on the subject of foreign and Catholic influence, secret and oath-bound affiliated lodges were established throughout the country, which exerted a controlling influence over political matters. These lodges were first organized in Indiana in the early part of the year 1854, and rapidly spread over the State. Their grand aim was to carry out their peculiar dogmas, and secure the offices of the country; and they enlisted a large majority of those who had been known as Whigs and Free Soilers, besides great numbers of Democrats, some of whom stood openly with their party, but secretly bolted by the light of the "Dark Lantern." Such were the elements of the movement of 1854, which first fused together in the State Convention at Indianapolis on the 13th of July of that year.

Here was the favored opportunity to organize a party of freedom on a substantial basis. The people were in process of self-emanicipation from their tyrants. Once fairly sundered from their party-moorings, they would never again be so effectively marshaled in the same unsanctified service; and although they were out at sea, and exposed to the perils of the deep, they were in little real danger with safe pilots at the helm. The charge of abolitionism, which was incessantly flung at the Anti-Nebraska combination here, whilst it alarmed the timid, naturally set men to inquiring what it meant; how they stood related to slavery, as citizens; and whether their opposition to the Nebraska Bill did not require them to go still further. It is true, the dispersion of the old parties was a very different thing from organizing a new one, on just principles; but it was an indispensable preliminary to it, since nothing could be done whilst they continued to control the masses. The moment of rebellion against their despotism should have been the chosen moment to mould the public conscience and crystallize the popular thought around the true central point of union. Distin-

guishing between that which was accidental and transient, and that which was permanent in the forces then at work, and availing ourselves of the repeal of the Missouri Compromise as a godsend to our cause, we should have summoned the manhood of Indiana to its rescue. Both the Temperance men and a majority of the Know Nothings were more or less imbued with anti-slavery sentiments, whilst both stood ready to make common cause against Old Line Democracy, and to yield something of prejudice, if not of conviction, for the sake of an effective union. The Free Soilers of the State were pretty largely represented in the Convention, and it was only necessary for them to say, unitedly and with emphasis, that a Republican party should be organized, and it would have been done. But the united and emphatic word was not spoken. *Fusion* was the magic sound that charmed all ears. Resolutions were offered declaring, first, the principle of opposition to slavery within constitutional limits, and to the extent of constitutional power; and second, that the repeal of the Missouri Compromise had destroyed whatever of finality was understood to pertain to the compromise acts of 1850, and remitted the free States back to their just rights under the Federal Constitution. These moderate resolutions were voted down, and others adopted by which in effect, if not in express words, the restoration of the Missouri Compromise was made the only specific basis of union. By this action of the Convention the new movement was committed to an essentially pro-slavery policy; for even the doughface could preach the restoration of this compromise when expounded as the limit of his anti-slavery designs, as a flat negative of the doctrine of slavery restriction generally, and merely as a rebuke to the administration for disturbing the healing measures of 1850. It was a narrow and double-faced issue at best, but in this instance it had only a face looking southward. It was a false issue, and it was, besides, wholly impracticable. Our more radical anti-slavery men, however, acquiesced. The Temperance men were generally satisfied, because a resolution was adopted which met their acceptance. The Know Nothings were pleased, not only because they liked the platform, but because the State ticket publicly nominated at the same time had been formed by the Order in secret conclave the day before, as the outside world has since learned. Thus was inaugurated our "Fusion" or "People's Party," for it did not pretend to be anything else. It was a compromise party. It was "a combination of weaknesses," rather than a union of forces. It was conceived in mere policy and the lust for office, midwifed by

unbelieving politicians, and from its birth cowardice was stamped upon its features.

The campaign thus begun was conducted as might have been expected. The Free Soil party was disbanded, without having committed the people to its doctrines. Its members were generally at work in the Know Nothing lodges, or, if outside, maintaining a position of prudent subordination or absolute silence, in order "to save the Union," whilst new men were in the van of the fight, disowning "Abolitionism," expounding the platform as eminently "national," and exhibiting such consummate gifts in prophesying smooth things as to bring multitudes on to our side, not by converting them to the anti-slavery gospel, but by disavowing its essential character and spirit. To fulminate radical opinions where it would conduce to success, and disavow them where it would favor the same result; to avoid giving offense to anti-slavery men, and yet administer the truth in such homœopathic doses as not to nauseate the doughfaces; to get hold of the offices by a deceptive triumph, achieved by artfully combining opposite and irreconcilable elements, whilst pretending to labor for the dissemination of principle, — these were the methods employed by many of the captains who commanded the people in this memorable campaign. They succeeded; but that their success materially aided the cause of political reform in the State, is what I am not prepared to admit. I need not refer to particular results. It is sufficient to know that when the victory was won, no great principle could be regarded as having been settled by a majority of the people; that it was gained by men unworthy to share it, because incapable of using it for the public good; and that the real power of a movement lies not so much in the numbers it can muster, as in the principle which is its basis, and the loyalty with which men stand by it. The "People's Ticket" was carried by diplomacy and stratagem, and not by the strength of a common conviction, and the victory proved, to a great extent, barren of good fruits, but prolific of bad ones, through its demoralizing example.

For observe now what followed. The virus of "Fusion" had so entered into our political life that few had the courage even to suggest the necessity of expelling it as the first duty. The disjointed army must be kept in the field, and the power of mere tactics again put to the test. On the 13th of July, 1855, another fusion convention met at Indianapolis, under the same leadership as that of the year before, and adopted substantially the same platform. The hand of Know Nothingism, unseen for a time by thou-



sands who had struggled against Indiana Democracy, was now distinctly visible, driving them in disgust from a movement that had used them as its unconscious tools ; but the Order, though rapidly declining, still resolved to control the combination, whilst still endeavoring to disguise its agency. It was very natural, therefore, that in the local elections of this year the Democrats were triumphantly victorious. It became palpable to everybody that the restless and jarring forces that had tugged together at the same ropes for a season could never again be effectively united, and that while our extreme eagerness to succeed had given us a nominal victory, we were left without any substantial basis of success in the future.

Our leaders, however, were bent upon carrying out still further their peculiar line of policy. Early in the spring of 1856 a convention of the "People's Party" was called at Indianapolis, for the first of May. The familiar spirit of Know Nothingism was distinctly shadowed forth in the call, though a separate one was issued by the Order for a convention on the same day, and at the same place. The Temperance men were likewise again appealed to, whilst the "People's" editors of the State resolved to hold a private consultation at Indianapolis on the day before, several of these editors being Know Nothings of the Fillmore type. Significant intimations were given out, in various ways, that a retreat was contemplated, even from the low ground occupied during the two years previous ; but it was certain, at all events, that no advance was to be made.

The "People's Convention" met. Although Americanism, in the form of a secret organization, was more rapidly decaying than the year before, those who had been its chief managers were in attendance, and prominently or secretly active. Our temperance law, the fruit of the campaign of 1854, had gone down under judicial decision, as well as popular disapprobation in large divisions of the State ; yet a resolution was adopted which necessarily identified us with its fortunes, whilst no practical end could possibly be accomplished, at that time, by bringing the question to the ballot-box in any form. Thousands of votes were lost by this folly. On the other hand, the slavery question was more and more engrossing all minds and stirring all hearts. Republican organizations, on a broad anti-slavery basis, had been launched in New York, Massachusetts, Ohio, and other States, and the organization of a National party had been initiated at Pittsburg. All could see that the Democracy was to be vanquished, if at all, by the strength of the Republican idea, through the Republican organiza-



tion as its instrument, disconnected with all side issues, and free from all coalitions whatsoever. The Convention, however, under prevailing counsels, whilst pretending to go considerable lengths on the slavery issues, dodged them all save the single one of Free Kansas. Instead of falling into line with the movements referred to in other States, it expressly voted down a proposition to accept even the name Republican. The party was still the "People's Party;" our delegates to the National Republican Convention were the "People's Delegates" to the "People's Convention;" the State ticket nominated was the "People's Ticket;" our electors were the "People's Electors;" and under the preamble to the platform adopted, all the "Silver-Gray Whigs" and Fillmore Know Nothings of the State were recognized as brethren in full communion. At least one man on the State ticket was an avowed Fillmore man, whilst both Fillmore and anti-Fillmore men were chosen as delegates to Philadelphia, and electors for the State. Perfect consistency only demanded one additional step in the process of leveling downwards, giving the Democracy a common stake in the scramble! Such a policy was the climax of political folly, to use no harsher word. The golden moment for organizing a party upon a solid basis was seized by faithless leaders, and a shameless scuffle for the spoils was substituted for a glorious battle for the right.

Accordingly, the policy which assumed to control the canvass was shallow and mean spirited to the last degree. The work most of all needed in Indiana was to proclaim the fundamental doctrines of Republicanism boldly, in their whole length and breadth. If there were sections of the State in which "Abolitionism" is more dreaded than the brand of a felon, and over which the doughface is sovereign, we should have penetrated these dominions, and declared the truth to the people. If Know Nothingism interposed its bigoted projects as a barrier to our cause, we should have met it with the same even-handed opposition with which we encountered our main foe. If the slavery question had never been generally discussed before our people, and our principles were everywhere misunderstood, these facts supplied the strongest possible reasons for such discussion, suppressing or evading nothing of what we held as true. The evils of slavery should have been unsparingly portrayed, not simply as a curse to the soil, and a wrong to both master and slave, but as an unspeakable outrage upon man, and a crime against God. The slave system, not merely as injurious and unprofitable, but as essentially infernal in its nature, should have

been analyzed and understood, as the only solid basis of political action against it. If, thus honestly fighting for our principles, we had yet failed at the ballot-box, we should have been consoled by the consciousness of having done our duty, and thus laid the only foundation for possible success in the future.

But the darkest portions of our State were abandoned in the canvass *because* of their darkness. Southern Indiana, in which the fight should have been hottest and most incessant, was mainly given over to the tender mercies of Fillmore Know Nothingism and Buchanan Democracy. The establishment of a press there, to counteract these forces, was discountenanced, lest pro-slavery men should vote against our ticket. The country south of the National Road was forbidden ground to anti-slavery speakers, lest our success should be jeopardized by the preaching of the truth. Clay, Burlingame, and others from abroad, were employed where they were little needed, and studiously kept out of localities in which their services were imperatively demanded, as if a good cause could hope to triumph in the hands of those who were ashamed or afraid to espouse it in the face of the world. Know Nothingism was petted, not because it was with us in principle, but because we were willing to sell our principles for office. Neither the economical nor the moral bearings of the slavery question were much discussed, whilst the real issues tendered in the Philadelphia Platform were rarely, if ever, fairly stated from the stump. The general style of our public speaking implied that the admission of Kansas as a free State was the sole issue. Border-ruffian outrages, and elaborate disclaimers of "Abolitionism" were the regular staple of our orators. What infinite pains were taken to keep the "People's Party" above all taint of suspicion as to the latter abomination! With what emphasis did our leaders asseverate that they were *not* Abolitionists, and had no desire to interfere with slavery in the States, or to discuss the relation of master and slave where it exists by law; that our party was exceedingly National, and wonderfully friendly to the Union; and that at most we only opposed the further *extension* of slavery, which the old Whig and Democratic parties did years ago, whilst we were decidedly opposed to marrying the negroes, or setting them free among us! Such were the enticing words, the gingerly apologies, and the thin-skinned tactics which passed muster with our State Central Committee. Our tender-footed managers even seemed afraid of the *shadow* of Republicanism, for they systematically suppressed their own electoral ticket during the canvass, till the October election put an end to all hope of a Union ticket with the Fillmore party!

And yet, after all, our State ticket was beaten. It received the support of thousands who had little respect for it, but who could not see how to withhold their votes without damaging the National Ticket. On the other hand, the large majority of Buchanan over Fremont, as compared with that of Willard over Morton, shows the part which Know Nothingism played, the extent of our complicity with it, and of the claim it would undoubtedly have made to the honors of victory had it been achieved. As the triumph of Fremont was denied us, owing to other causes than the single loss of Indiana, I have few tears to shed over the result. Indeed, did I not deeply deplore the ascendancy of Latter-day Democracy in the State, I could even rejoice; for our politicians should be taught, whatever it may cost, that the unjust thing shall not prosper. They should learn, however painful the lesson, that loyalty to principle is a sun and a shield, and that a shuffling, ambidextrous policy will certainly be rebuked by the people. Success, says Seneca, consecrates the foulest crimes. Had the slippery tactics of our leaders received the premium of a victory, it would have been far more disastrous in its influence hereafter than a merited defeat, which may even bless us as a timely reproof of our faithlessness. I believe, however, that by a bold fight in Southern Indiana, on the real issue, confronting the Buchanan and Fillmore leaders at every point, and exposing their falsehoods, our State could have been saved. The Fillmore party would have dwindled, and timid men from all quarters would have been gathered under the Republican banner. Our subserviency necessarily weakened us, whilst strengthening the hands of the enemy, and illustrating the truth that honesty is always the best policy.

But how stands the case with us to-day? Have we learned wisdom in the dear school of experience? Are we ready frankly to confess that we have been swayed more by a desire to enlist the multitude on our side than by an overmastering fidelity to principle? Have we at last found our weakness in that which we foolishly mistook for our strength? Have we both seen and forsaken our deplorable infatuation? Gladly would I answer these questions in the affirmative, if the truth would permit. But we are still, I am sorry to say, floundering in the mire of a godless expediency. In the early part of last January, a convention was held at Indianapolis which claimed to be Republican. It was composed of virtually self-appointed delegates, who had occasion to be at the capital at the meeting of our legislature. It was called by our State Central Committee, which perpetrated so much mischievous



folly last year, and the Convention, in return, continued it in office. This action, in connection with some of the resolutions adopted, can only be understood as an indorsement of the blunders of the past, and an earnest of their repetition in the future.<sup>1</sup> And we remain dumb. We are mute and motionless under circumstances that should stir men's blood and nerve their arms to the most unhesitating and decided action. The facts I state to-day respecting the mistakes of the past are known to be true. They are freely admitted in private by all candid men. They may be heard and overheard in all parts of the State by those who will listen. They find expression in the significant mutterings of the people, and occasional tokens of alarm among our politicians; but they are effectually stifled by the devil-worship of mere policy, which lays its icy fingers upon the moral sense of the people.

The Slave Power in the mean time is not idle. It has the supreme federal judiciary in its keeping, with its Dred Scott decision already finding its way into the Democratic Platform, and diffusing its poison over these States. It has both houses of Congress. It has the National Executive, with the immense power and patronage of the government, and the prestige of assured ascendancy in the future. It holds the State of Indiana as in the hollow of its hand, moulding its policy in all things according to its own purpose, and able to boast that there is no party in the State that can confront it with clean hands, or that cares enough about its principles to fight for them, save when the hope of office stimulates the flagging zeal of its leaders. Our politicians are silent; the anti-Administration press of the State gives out, at best, an uncertain sound; the people are absorbed in the concerns of private business and the growing materialism of the times; whilst the old soldiers of freedom who were at first accustomed to "cry aloud and spare not," appear to have lost their zeal, if not their faith, in the cause for which they were once ready to sacrifice honor, property, and life.

And now, my friends, what shall be said to relieve this dark picture? What shall be *done*, rather, to relieve the anti-slavery cause, wounded in the house of its friends? My answer may readily be gathered from what I have said. Three several remedies, all harmonizing with each other, should be applied.

<sup>1</sup> And they were repeated the next year. In the spring of 1858, the Republicans of Indiana, in State Convention, threw the National Platform of 1856 overboard, and cut down the issue with the slaveholders to the single one of "Anti-Lecompton." This was done in the interest of conservatism, and for the sake of success; but the State ticket nominated very naturally was defeated.



I. A Republican party, strictly speaking, has not to this day been formed in the State. Such a party should at once be organized. As the Democratic party now has but one idea, namely, slavery, so our organization should be based upon one idea, namely, anti-slavery. We should ignore or postpone every other. We should say to whatever side issue, as Christ said to Satan, "Get thee behind me." Every passing year is vindicating the philosophy of the pioneers of our cause, and pleading for this policy. We should, above all things, shun every form of partnership with Know Nothingism hereafter. Pretending to herald a new era in politics, in which the people were to take the helm and expel demagogues and traders from the ship, it reduced political swindling to the certainty and system of an exact science. It drew to itself, as the great festering centre of corruption, all the known political rascalities of the last generation, and assigned them to active duty in its service. Persisting, during the past three years, in its work of dividing and alienating those who should have stood together as one man against the common foe, it has been at once a thorn in the side of Republicanism, and a sure help for Old Line Democracy; for the pen of history will record, that through its diabolical intervention the Slave Oligarchy has been installed in the National Administration till the year 1860. Whether sweeping over our towns and cities like a tropical tornado, scattering devastation and death in its track, or walking in darkness and wasting at noon-day, like the pestilence; whether judged by its unchristian dogmas, or its ungodly oath and ritual, Know Nothingism is an embodied lie of the first magnitude, a horrid conspiracy against decency, the rights of man, and the principle of human brotherhood. Our cause owes it nothing but the most unwavering opposition, so long as a vestige of its evil life remains. We have nothing to hope from it, whether we find it lingering outside of the Republican movement under such leaders as Thompson and Gregg, or prowling in our ranks, "with its eye fixed on its own navel," under the lead of pretended Republicans. It is not of us, with us, nor for us, and we should recoil from its contaminating touch. Whether meeting us in its old habiliments, announcing its savage dogmas in their undisguised features, or masquerading under the hypocritical pretense of simply desiring a change in our State constitution as to foreign suffrage; whether we find it taking up the trade of "Union-saving," and openly meeting us on the issues of Republicanism, or flavoring its unpalatable dish with anti-slavery, in the hope of prolonging its life and inviting our recognition, it

will be found to be, as heretofore, our enemy, and should be dealt with as such by every man who has our principles at heart. It is both the interest and duty of Republicanism, not simply to terminate its political career, but to shake off, unmistakably, every appearance of fellowship with its unfruitful works. Nothing short of this can recover for us the ground we have lost, and save our movement from the mischiefs which lie in wait for it, if its anomalous position towards this secret Order shall be further maintained. I say these things, my friends, for no idle purpose. I warn you against this distracting element, because it still infests our country. Let no man be deceived. In Massachusetts it impudently assumes to muster the Republican party into its service. In Pennsylvania, notwithstanding the lessons of the past, it manages to keep up its combination with the men who supported Colonel Fremont. It even shows some signs of a mischievous resurrection in Ohio. Busily plotting for the future during the political slumber that has overtaken the people, it begins to crop out of late in various parts of our country. The slimy serpent still lives, and to-day, I doubt not, is secretly coiling itself about the neck of the Republican movement, intending to caress us into a further embrace, or fasten its fangs in our vitals. I ask you to have an eye upon it, to repel its slightest advances, to refuse it all hospitality, in whatever shape it may appear, and to guard the future by making sure of its total dislodgment from our politics, its final sentence to the execration of history.

My friends, I beg of you to stand squarely upon your principles, and trust in their saving power. Believing them to be true, we should no more doubt their triumph, through our fidelity, than we doubt the government of the world by a Providence. Abjuring all coalitions, all attempts to carry a point by compromising or concealing the truth, relying exclusively upon the "one idea" which makes up our great issue with the slave power, and starting out with the real difficulties of our enterprise in full view, but with *faith* in the impregnating power of the truth, we should forthwith take up the line of march so gloriously begun in other States. The world would then bear witness that we are not an organized horde of spoils-hunting demagogues, scheming and plotting over questions of public plunder, but a band of brothers, seeking to rescue the government from the vandals who control it. The Republican cause would be committed to the hands of the people, while politicians by trade would be driven from the places they have so long usurped. Instead of aspiring to be the leaders of public opinion,

they are its mere echo and breath. They have no faith in principle. Expediency is the law of their lives. They believe in a plausible fallacy rather than the truth. They cherish a secret contempt for the people. They affect a mortal dread of adopting measures in advance of the masses, whilst they themselves artfully block up the way of progress. Faithless, cowardly, half-hearted, often unprincipled, and always judging the world by themselves, they are to be ranked among the worst moral scourges of the times. No good cause can hope to prosper till it shall renounce, entirely, all allegiance to this pestilent tribe. Let our movement do this, and the Republican principle, having free course, and becoming incarnate in the popular heart, will be able to take care of itself. The best service men can render it is to leave it unshackled. "Truth is bread to the soul." Such is its inherent power that it often overrules the combined folly and knavery of its professed guardians. It has even made considerable progress in Indiana within the past three years. Mingled with the dirty strifes of our local politics, and hawked about in the public market as an unclean thing, whilst politically married against its will, it has yet exhibited a vitality not less remarkable than the weakness and worthlessness of its allies and pretended auxiliaries. Its triumph, as I firmly trust, is simply a question of time; and whilst we keep our hearts whole with this faith we should courageously go forward in the work of hastening its coming.

II. I pass to the second remedy for our political disorders. The grand folly of our leaders of late, and the underlying source of all minor errors, has been the inordinate longing for Immediate Success. This evil spirit, which has possessed us since the repeal of the Missouri Compromise, must be cast out before Republicanism can honestly hold up its head in Indiana. It made shipwreck of our cause in 1854, and up to this hour is persisting in its stupid policy, regardless of its evil fruits everywhere visible. Several considerations demand its absolute repudiation as a principle of political action in future.

In the first place, Republicanism, taken at its word, is based upon the truths of the Declaration of Independence, and its mission is their practical vindication. These truths are simply the teachings of the New Testament translated into politics. Our cause, therefore, is not to be confounded with the angry strifes and despicable squabbles of place-hunters, but elevated to the dignity of a great moral enterprise. It exacts the sympathy and service of all men, irrespective of personal honor or reward. The grand aim of its



friends is not to possess office, but to create a sentiment strong enough to command respect, whoever may be in power. The spread of our principles is the work to be done, whether Republicans can be elected to posts of honor and profit or not, and leaving that as a matter purely incidental to our enterprise. Our work, therefore, should be as unceasingly prosecuted as the missionary cause, or any other moral or Christian movement. Far more could be done for it this year, when no offices are to be filled, and the people are their own masters, than will be possible next year, when whole swarms of politicians will darken the air, and volunteer their pernicious counsels. Opinion is power. Daniel Webster once declared it to be "the mightiest power on earth." "Opinion," says Dr. Channing, "is stronger than kings, mobs, Lynch laws, or any other laws for the suppression of thought and speech." The man who does most in building up in Indiana a public sentiment utterly hostile to the institution of slavery, is the most deserving of honor and leadership in the Republican organization. To compromise or blink the truths of Republicanism, for the sake of any temporary success, is to betray and crucify them. To succeed in getting the offices of the State from the Old Liners by cunning political management, and not by an honest fight, and as a testimony in favor of our principles, is to accomplish nothing and degrade our own manhood. During the last summer one of our ablest journals used the following language in reference to the national struggle then pending: —

"There is one great truth which the politician never learns, although the history and experience of all ages are constantly confirming it with their testimony, — that the success of the party is not necessary to the triumph of the principle. *For his own sake*, it is advisable for the partisan to adhere to the principle; but the principle, when it is true, takes care of itself. An organization, calling itself the Republican party, may elect the next President of these United States, and yet that result be of not the least imaginable significance relatively to the principles of Republicanism. From Bunker Hill to Saratoga there was scarcely a decided victory to the colonial arms, and yet in the midst of defeat and disaster freedom was spreading its roots strong and deep in American soil, and preparing for a giant growth in after ages; and, with all the kings and priests and armies of the Continent against it, the Protestantism of our European ancestors never spread so rapidly as when the cry went forth from prince and prelate and general to exterminate its professors."

Who will deny this? And who does not see that the Republicans, although defeated in the struggle for the presidency, gained a real triumph? Their principles were thoroughly discussed, and disseminated far and wide. They took root in thousands of hearts that had never before been touched. Old party organizations



were consumed in the fervent heart of the new movement, whilst even doughfaces were made to tremble in view of the retribution which they saw prefigured in the general commotion. Buchanan was elected; but that the moral power of our large vote for Fremont will exert a shaping influence over his administration, is what no man can doubt. I believe it has already secured Kansas to freedom, as the Free Soil agitation of 1848 saved Oregon and California; whilst if Fremont had succeeded, with politicians in his cabinet, with a Congress against him, and only a partially developed anti-slavery sentiment to sustain him, perhaps even less would have been done for the growth of our cause than is now practicable, unembarrassed by the responsibilities of power, with a probation of three or four years to prepare for the next contest, and free to profit by the strifes and troubles of our foe. Our success would have periled our principles. The revolution so hopefully begun might have been arrested by half-way measures, promoting the slumber, rather than the agitation of the truths we teach; whilst the irritating nostrums of Buchanan Democracy, so necessary to display the horrors of the disease preying upon our body politic, might have been lost to us. The power of the ballot, when cast for the right, irrespective of the particular result, is so forcibly illustrated in the great struggle of last fall, that we may hope to hear no more abuse of anti-slavery men for throwing away their votes.

Again, the policy which makes present success the basis of our action is an ever-present temptation to achieve it by unscrupulous methods, and even by trampling down the principle for the sake of which alone success is desirable. It sacrifices the end to the means. If the people are not ready for the truth, it suppresses the truth, or so mixes it with falsehood as to make it tolerable. It thus often becomes the most formidable obstacle to the progress of the cause it espouses. It bribes us to become "all things to all men." It caused our leaders last year to pander to the pro-slavery influences of the State by declaring the Republican party to be "The white man's party." It employed them in the service of slavery by putting into their mouths a perpetual protest against every form of "abolitionism." This cowardly policy, applied to the work of Christianizing the world, would not only eternize slavery, but cannibalism, widow-burning, and every form of human diabolism under the sun. It would bring down Christianity to the level of the meanest capacity, where our leaders would drag Republicanism, and the work of the missionary would cease because

the devil would be God. It would immolate, as it too often has done, our tried and trusted men whose labors and sacrifices leave no shadow of doubt as to their fidelity, and canonize as heroes and load with honors those who have coolly looked on and watched the signs of the political zodiac, till favoring winds are ready to bear them upwards. Carry this policy to its legitimate results, and Seward, Chase, Sumner, Hale, and even Colonel Fremont, must be thrust aside in 1860, to make way for the editor of the "New York Herald," if success over the Democracy can be most certainly secured in that way; and should we argue with the friends of such a policy that defeat with a representative man is preferable to success with an available ticket, we should be branded as impracticable men, if not dangerous fanatics and enemies of the Republican cause.

This sickly desire for present success arouses an anti-slavery zeal which immediately subsides when the temporary occasion of it has passed away. It foolishly hopes for the triumph of freedom through noisy demonstrations of excited political contests, occurring at distant intervals, instead of systematic efforts, prosecuted from year to year, for the spread of needed information among the people. It inspires unbounded faith in tactics, in expediency, in compromises and coalitions, and thus practically confesses that the principle involved is not strong enough to stand on its own feet. It forgets that a small party, loyal to principle, wields more power than a large one, built up by compromises and surrenders. It forgets that with parties, as with individuals, *character* is above all price, and that popularity and present success must often be sacrificed for its sake. It forgets that the *kind* of influence exerted by a political movement is far more important than the *quantity* of it, and that Providence, by an immutable law, denies to us any real success, except as the consequence and reward of fidelity to principle. My friends, let me commend these thoughts to your earnest consideration, and ask you if our whole policy must not be reversed, if we would ever redeem Indiana from slaveholding rule? Surely we have sought out new inventions and worshipped strange gods long enough.

III. Lastly, the people need an intelligent apprehension of their political relations to slavery. This is the third necessity of our politics under my arrangement, but is in fact first in importance. The people "lack for knowledge." The cause of freedom languishes chiefly for this reason, and not because of any general insensibility to the sufferings of the slave, or unmixed hardness of

heart. We must have a platform ; and allow me to say here that I totally disagree with those who would abandon all platforms and platform making. I know that knaves and demagogues have a pretty large share in the building of these modern political fabrics, and that bad platforms and much mischief are sometimes the result. I know that men often persuade themselves to spit upon a platform, and then swallow down at one gulp the candidate who stands upon it, and refuses to stand anywhere else. I admit also that platforms are now and then converted into so many springboards, from which the loftiest kind of somersaults are made. Still, I believe they have a very important significance and use. The principle on which they rest is the need of a compendium of intelligible affirmations, embodying the essential truth in politics, as a basis of political action and a guide in the administration of public affairs.

We are taught by the great lights of the world in the departments of morals and theology that doctrine goes before duty, theory before practice, right believing before right acting. They say we must first find out the truth, and then duty, or the practical service of that truth, will result as its crowning flower and fruit. As a general proposition I subscribe to this, and I apply it to politics. If the heart must be reached through the head, with a view to any genuine reform of the individual, it is just as true that the heart of the North must be reached through the brain of the North, with a view to any really effective service of the cause of freedom. What are the relations which we in the free States sustain towards the peculiar institution of the slave States? What are the duties on our part resulting from those relations? These are pertinent and practical questions, meeting us at the very threshold of any intelligent thought or action on our part. They must be answered, and the answer, when written down in well-chosen words, will be a platform, a political confession of faith, or whatever other terms may be employed to convey the same idea. Here is the true starting-point, and the shallow sophism that it matters not what a man believes, is as pernicious in politics as in morals. One may indignantly brand slaveholding as the sum of all villainies, hate it as a thing unutterably detestable, and paint it in colors as black as the open mouth of the Pit ; and yet, if the platform to which he subscribes teaches him that he has nothing to *do* with slavery, as a citizen of the free States, his words are but as sounding brass or a tinkling cymbal.



The subject of platforms, therefore, is one of first-rate importance. Every thinking man must regard it as involving all that is vital in our political contentions. Every candidate for an important trust should be required to make a public confession of faith, as an indispensable condition of popular acceptance. Should he betray the people, let them lay hold of the best plank in his platform as a bludgeon, and publicly pelt him by way of example and warning to like infidelity in future. Should either politicians or people apostatize from a faith once publicly professed, let them be exhorted, in words taken out of their own mouths, to return and stand fast. Platforms are thus not only a political necessity, but they are instructive memorials of our shifting American politics, and often very convenient weapons in the exciting strifes of our times.

But quitting these general observations, I come to the Philadelphia Platform; and allow me to say, that as an enunciation of essential anti-slavery truth, I accept it as sufficient. I do not subscribe to the false readings that have been given it, either by its foes or mistaken friends; but guided by its obvious letter and spirit, I decidedly prefer my own conclusions. Let me state, as explicitly as I can, the issues which it tenders on the subject of slavery; because this task, as I have already observed, was very generally omitted during the late canvass, whilst perversions and misrepresentations were the order of the day. I can scarcely imagine a more shameless caricature of the Philadelphia Platform than was perpetrated by a distinguished Republican politician in Wall Street last fall; and did I accept his exposition of it, I would denounce it, as I do the dishonest audacity that could thus insult the intelligence of the people.

The Philadelphia Convention affirmed, unequivocally, the right and duty of Congress to prohibit slavery in all the Territories of the United States. It was not content with a general declaration of opposition to the extension of slavery, which would have meant nothing; it did not say one word about the restoration of the Missouri Compromise, which our Indiana politicians have so cunningly used as a two-edged sword in smiting slavery and anti-slavery at the same time; it did not say one word implying that the enormity of slavery was lost sight of in the indignation excited by a violated compact between the North and the South; but it plainly recognized all the Territories of the Union as alike exposed to the ravages of slavery, and alike invoking its interdiction therein by Congress. This was the position; and when we remember that our



Territories contain an area as large as that of all the thirty-one States of the Union, and that in all these vast regions freedom is put in deadly peril by the Slave Democracy, we may form some idea of the magnitude of the issue thus presented.

In the next place, the Platform reaffirms the great constitutional principle embodied in the Buffalo and Pittsburg Platforms, that no man shall be deprived of life, liberty, or property, without due process of law; and this grand central doctrine, the enforcement of which would annihilate our Fugitive Slave Act, is expressly applied to the question of slavery in our Territories. The platform also explicitly denies "the authority of Congress, of a territorial legislature, of any individual or association of individuals, to give legal existence to slavery in any Territory of the United States, while the present Constitution shall be maintained." Slavery is thus declared to be legally and constitutionally *impossible* in the Territories. The relation of master and slave can no more be created or permitted there, than the relation of monarch and subject. We have thus the principle of "no more slave States" fully recognized; for if there can be no legal slavery in the Territories, no slave States can legally be formed out of them. The slave could not breathe there, nor could the slaveholder, as such, tread the soil. Consecrated to freedom up to the moment of their admission, there would be nobody to ask for a slaveholding constitution, nor could Congress tolerate it without recognizing the very authority which is denied both to it and to the people. As to the right of a State, *after* admission, to establish slavery, it can only be regarded as an unmeaning abstraction, since the history of the world furnishes no instance of a people once in the enjoyment of freedom deliberately casting it away for slavery.

This doctrine I regard as fundamental. Its affirmation at Philadelphia was demanded by the state of our country, and the policy of the administration. Democracy places the rights of slavery in the Territories above Congress, above the people who inhabit them, above the Constitution, above every power save the will of the slave breeder himself. The troubles in Kansas have grown out of the attempt to overturn the settled policy of the government, and to inaugurate, at all hazards, this asserted supremacy of slavery. The denial of this doctrine has been dealt with as felony and treason. It was fit, therefore, that this issue should be squarely met, by planting the right to freedom in the Territories upon the broad ground of natural justice and the Federal Constitution, and deny-

ing to any power on earth the right to legalize slavery on their soil.

Again, the Republican Platform declares that it was "the primary object and ulterior design of the Federal Constitution to secure the right of life and liberty to all persons under its exclusive jurisdiction." Of course this "primary object and ulterior design" must be faithfully carried out, and if so, slavery will have no foothold anywhere outside of the slave States. It will be abolished in our Federal District; it will be denied the protection of our flag on the high seas, and in its execrable traffic in humanity now carried on by authority of Congress on our southeast coast; our Great National Black Law for the recovery of fugitives will be blotted out; all federal enactments in behalf of slavery will be repealed; the vast power and patronage of the National Government will be rescued from the active and zealous service of the slave interest, and dedicated as actively and zealously to the service of freedom; in short, the peculiar institution, shorn of its "nationality," and staggering under its own weight, will inevitably dwindle and die. Give me the power to cut up slavery, root and branch, wherever the federal authority legitimately extends, and I will open veins enough to bleed the monster to death. Breathe into our national life a sentiment strong enough to ripen into such legislation, and the backbone of the slave power will be broken. Do you tell me that the policy of mere limitation, of national discouragement, has failed, as a means of destroying slavery? It has failed as a remedy for the spread of slavery. It has failed, because of our hatred of the negro, and our practical sympathy for his master, prompting us, as often as we declare our opposition to the extension of slavery, to affirm our emphatic acquiescence in its indefinite rule where it exists. It has failed, because, for nearly forty years, we have chosen doughfaces to represent us in Congress, who have set a higher value upon mere politics and the dollar than upon humanity itself. It has failed, because we ourselves have been false to what we professed. Had we unitedly resisted the policy that made our Florida wars, annexed Texas, plunged us into our savage strife with Mexico, carried the compromise measures of 1850, and finally the repeal of the Missouri Compromise, would the slave power now have been in the full sweep of its progress, foreshadowing its complete domination through the moral prostration of the Supreme Court? On the contrary, would not the slaveholders, long before this, have been constrained to take the question of abolition under advisement? Sir, instead of resisting, we have aided this policy, at every step of

its progress, with the power in our own hands to have defeated it in every struggle that has yet been made for slave ascendancy. We have been too dastardly to take our stand. We have been false both to the slave and to ourselves. In 1787 the policy of restriction succeeded, because it was vitalized by the spirit of the Revolution, and went hand in hand with measures looking to the final abolition of slavery in the States. Restriction then signified *destruction*. We must baptize the people once more into this spirit of liberty. We must demand the limitation of slavery, its national repudiation, as an unmistakable protest against its existence; as the forerunner of other measures, moral or political, which shall work out its peaceable overthrow; as simply an authorized and appropriate method of attacking it in its strongholds, and never as its shield and defense. As an incipient remedy for our great national malady it must be understood as an essential part of the whole process of cure, just as the first dose of medicine given to a sick man forms a part of the general treatment for his recovery. As honest men, we must declare this. Our work, I repeat, as the friends of slavery restriction and slavery extinction, is not different, but identical; and I insist, therefore, that it has not failed hopelessly, and cannot fail, save through our own continued faithlessness as its advocates.

But were I to stop here, I would not do complete justice to the Philadelphia Platform. The men who made it came together with the avowed purpose of restoring the action of the government to the principles of our "Republican fathers." They refer authoritatively to these principles, in the resolution from which I have just quoted, and reaffirm the inalienable right of all men to life, liberty, and the pursuit of happiness, as a self-evident truth. This was no unmeaning generality. It was made necessary by the open denial of it by the prominent leaders of the Democratic party in both sections of the Union, who declare that white men only were referred to by our fathers as having the inalienable rights which they ascribe to "all men." Bearing these facts in mind, I ask, What were the principles of our fathers? Let us judge them by their acts, and their known opinions. They abolished slavery in every rood of territory under the jurisdiction of the Federal Government in the year 1787. They limited the right to import slaves from abroad to twenty years, when it was generally, if not universally admitted, that slavery itself would cease. Simultaneously with the struggle for independence, or soon afterwards, they took measures for the abolition of slavery in seven of the old States, whilst in the six remaining they believed it was rapidly wearing



out its life under the weight of its acknowledged evils. They had no expectation that the boundaries of the Republic, as fixed by the Treaty of 1783, would ever be enlarged, and therefore could not have contemplated the extension of slavery beyond the limits it then occupied. They would not allow the word slave to defile the Constitution, because they thought it wrong to sanction the idea that man can hold property in man. And the general sentiment of the people in all sections of the country was in harmony with the facts here stated. Indeed, as I have already shown, our fathers were not only anti-slavery men, but abolitionists, and we should so read their pedigree, and so make honorable and popular a term that has become a most offensive epithet. I do not say they adopted the wisest method of getting rid of slavery, but they earnestly set about it, and were undoubtedly honest in the belief that their method would be sufficient. That they were sadly mistaken makes not the slightest difference as to the sincerity of their intentions. They were in favor of abolishing slavery in the States, and they did not propose to do this by federal authority because, with their views, it was not necessary to entertain that question. Slavery was to pass away by fixing bounds to its territory, by cutting off the foreign supply, and by private emancipations, then rapidly going on under the growing anti-slavery sentiment of the people, quickened by the struggle for independence; and it was their firm belief of this that induced them to assent, reluctantly, and under an impelling desire for union, to those clauses of the Constitution which compromised, to some extent, the freedom of the colored race. I admit such compromise. That the clauses to which I refer on the subject of taxation, representation, and the return of fugitives from labor relate to slavery, is proved by contemporaneous history. I do not quibble about words, but admit the fact. And I am perfectly willing that our fathers shall be judged in the light of contemporaneous history; for that same history tells us that the slavery which they thus abetted was the slavery of the six States in which alone it remained untouched, and in which it was soon to perish from the causes already mentioned; the slavery which they prevented by law from spreading into the Territories; the slavery that was not to be fostered as a blessing, but only *endured as a curse*, till it could make a decent exit from the Republic.

Such, my friends, was the policy of our fathers. They did not dream of permanently uniting such antagonistic elements as slavery and freedom under the Constitution. They did not dream of building up "a prison-house and a palace as the appropriate wings of the



temple of liberty." The battle of the Revolution was to be crowned with no such diabolical folly. Yielding to slavery a transient sufferance, a brief hospitality, in the assured faith that it would quietly disappear from the country, they precluded themselves by no word or clause in the Constitution from the use of measures for its extirpation, should it treacherously demand perpetuity and bid freedom serve at its black altar. The Supreme Court of the United States, interpreting the Constitution by the help of contemporaneous history, declares that persons of African descent have no rights under it which white men are bound to respect. This monstrous doctrine, scouted as it is by the most palpable historical facts, is charged upon our fathers. But I accept the principle of interpretation thus authoritatively affirmed, and assert that the very argument which shows the complicity of our fathers with slavery is their best vindication, whilst it exonerates their children from their supposed constitutional obligations respecting it. Compacts and compromises are equally binding upon both parties to them. Slavery has been false to the well understood engagement in the faith of which it secured a qualified federal toleration in the old States. Perfidiously laying hold of the concessions generously made in its favor in the beginning, unwilling at length to share even a divided empire with freedom, to whom it has gradually turned a deaf ear and an averted face, and ruthlessly grasping at absolute dominion, it has systematically trampled the Constitution under its feet. And are its champions the men to preach to us about our constitutional obligations? Are we to compete with Southern blood-hounds in "the hunting of men" as a constitutional duty? Are we, in 1857, to be held to a strict observance of clauses confessedly temporary in their obligation, and which have long since been blotted out in the violated faith of the slaveholder? I accept the argument from contemporaneous history, and I demand the whole argument to be taken. I go for the policy of our fathers. Like them, I am for the *extinction* of slavery. I am ready, in any proper way, to do what I am sure they would undertake if living, what they meant to do in their day, and would certainly have accomplished, had they foreseen the perfidy of the slave interest and the horrid fruits it has entailed upon the nation. Slavery must be abolished, and we must not be ashamed to avow this as our ultimate purpose as members of the Republican party. I see not how a Republican can have a clear conscience on any narrower platform, or how else he can hope to be thought entirely sincere. I do not say that we should make an irruption into the South to

liberate the millions in chains by violence. I do not say that we should incite them to revolt against their tyrants. Nor am I prepared to affirm either the right or the duty of the National Government forthwith to sever the relation of master and slave; for the overthrow of so monstrous a system, interwoven with the whole frame-work of society in the South for so many generations, however ardently we may wish it, or fervently pray for it, can only be accomplished peaceably by eradicating the sentiment of tyranny from the white man's heart, whilst we smite the chain from the black man's limbs. The abolition of slavery must be at first virtual, and at last actual. The act of abolition must be a continuous act. It must become an educational *process*, before it can be realized in fact through any act of the government. It will take place in some States sooner than in others, owing to local and other causes; and our reliance must be the resistless pressure of a growing anti-slavery opinion, without which acts of Congress and judicial decrees are worthless. Whilst striving by the help of such an opinion to brand slavery as a political outlaw wherever found beyond the States which it scourges, and thus to stamp it with national reprobation as did our fathers, I would inspire in the people of the free States a love of liberty so dominant and all-swaying, and a hatred of slavery so intense and unquenchable, that our brethren in the South would desert it as men desert a sinking ship. And to this end, as the Constitution has long been moulded by the plastic hand of slavery into just such shape as would further its own behests, so in our warfare against it I would invoke, just as fast as practicable, the awakening humanity of the people in the use of all the constitutional authority of the Federal Government, and of the free States, interpreted strictly against slavery as an exceptional interest, a loathsome and wicked anomaly, but liberally in favor of freedom as the source of our national life and the grand purpose of our National Union. "The system of the General Government," says Jefferson, "is to seize all doubtful ground. We must join in the scramble, or get nothing. When first occupancy is to give right, he who lies still loses all." In the name of the father of American Democracy I plead this principle, not simply in behalf of State Rights against federal usurpation, but in behalf of freedom against slavery. We must not, we dare not slumber, whilst this sleepless despotism is forging our chains in the name of the Constitution. To accept a defensive position now is death. To meditate it is cowardice. Our attitude, if really defensive, must be aggressive. In the language of Jefferson, "we must join in the

scramble or get nothing," for "he who lies still loses all." We must make of the Constitution our citadel, our high tower. We must wrest from the enemy every "doubtful ground," and make it a bulwark of freedom. In view of the priceless value of liberty, and of the subtle, unscrupulous, and relentless tyranny with which we are forced to wrestle, we must, in self-defense, seize every possible vantage-ground afforded by the Constitution, and resolutely maintain it as necessary to our political salvation.

And cannot all anti-slavery men who believe in the use of the ballot, notwithstanding their differences, unite in this struggle? The Philadelphia Platform, unlike those adopted at Buffalo and Pittsburg, does not avow the doctrine of non-interference by the General Government with slavery in the States. It does not avow the opposite doctrine. It lays down a few clear, comprehensive principles, and proposes a few practical measures, made absolutely necessary by the state of the country. Its framers did not foresee exactly the course of future events, and therefore could not propose any precise policy in advance. They declared themselves in favor of "the union of the States and the rights of the States," but they gave the people no definitions, whilst there was manifestly something dearer in their eyes than either union or State Rights. They expressed their reverence for the policy of our fathers, and announced principles that in their working must put an end to slavery, but they dealt not in specifics as to the mode. They did not anticipate the Dred Scott decision, making slavery no longer a peculiar but a National institution, nor say that the time might not come when the only hope of destroying it, or even checking its ravages, would be in smiting it in the States with the weapons so earnestly commended to our use by the Liberty Party. They knew that usurpation, long continued, breeds revolt in a people determined to be free, and that revolt knows no law but necessity for its action. Planting themselves upon the Declaration of Independence as the basis of their policy, they did not say precisely how the enemies of slavery should make their approaches or prosecute their assaults, whether chiefly through federal agencies, or the saving grace of State Rights so gloriously illustrated by the Republican State of Wisconsin; but they virtually proclaimed war against the institution, and the determination to rescue the nation from its power. They did not, in my judgment, hedge up the way of any earnest foe of slavery who desires to oppose it by political action. I accept it, because I think I can stand on it and preach from it the whole anti-slavery gospel. I accept it, because it commits me to nothing



that I do not believe. I accept it, because it accepts the Declaration of Independence and the policy of our fathers. I accept it, because it deals in no negatives, does not apologize to the slaveholder, nor cravenly remind him of any constitutional guarantees in favor of his system. I accept it, because, as I understand it, the ultimate banishment of American slavery is deemed by it necessary to the well-being if not the life of the nation, and must be steadily prosecuted till it shall be accomplished. Let us speak this plainly in the ear of our brethren in the South. Let us tell them that although we recognize slavery as peculiarly an institution of the States, we yet regard it as the serious concern of every man in the nation ; that it frustrates the design of our fathers "to form a more perfect union ;" makes it impossible "to establish justice," or "to secure domestic tranquillity ;" weakens "the common defense" by inviting foreign attack ; opposes "the general welfare" by its merciless aristocracy in human flesh ; denies "the blessings of liberty to ourselves and our posterity," and gives us the curses of slavery instead ; lays waste the fairest and most fertile half of the Republic, staying its progress in population, wealth, power, knowledge, civilization, the arts, and religion, thus weighing down the whole nation, and costing us far more than the market price of all the millions in bonds ; makes the establishment of free schools and a general system of education impossible ; brands labor as dishonorable and degrading ; fills the ranks of infidelity, and brings religion itself into scorn, by bribing its professors to espouse its revolting iniquity ; denounces the Declaration of Independence as a self-evident lie, and deals with our fathers as men who affirmed its self-evident truths with a mental reservation, whilst they hypocritically appealed to the Supreme Judge of the world for the rectitude of their intentions ; and pleads the cause of despotism abroad whilst spreading licentiousness, concubinage, and crime where it rules. Let it be distinctly understood that the slavery of the Southern States is thus necessarily *our* slavery ; that the colossal power it now wields is the work, in part, of our hands ; that in so far as we made it the duty of unmaking it lies at our own doors ; and that we will not shirk this duty by admitting any impossible constitutional barrier in our way, or impiously pleading that God has permitted a remediless evil. Instead of deprecating radical measures, disavowing "abolitionism," and fulsomely parading our devotion to the Union, let us declare ourselves the unqualified foes of slavery in principle, and make good the declaration by the same boldness of action and uncalculating directness of policy which make the politicians of the



South, in this respect, our fit example. Let us tell them in point-blank words that liberty is dearer to us than the Union; that we value the Union simply as the servant of liberty; and that we can imagine no earthly perils or sacrifices so great that we will not face them, rather than buy our peace through the perpetual enslavement of four millions of people and their descendants. If we assure them that we love the Union, let us not fail to inform them that we mean the Union contemplated by our fathers, with the chains of the slave falling from his limbs as the harbinger of "liberty throughout all the land, to all the inhabitants thereof," and that only by restoring their policy, and reanimating the people with the spirit of 1776, can these States be permanently held together. With equal frankness let us tell them that we do *not* love the Union so dearly prized by modern Democracy, with James Buchanan as its king, and Chief Justice Taney as its anointed high-priest; and that at whatever cost we will resist its atrocious conspiracy to establish, on the ruins of the Republic, the hugest and most desolating slave empire that ever confronted heaven since the creation of man. Let us have the Christian manhood to say with Paul, that we are "persuaded, that neither death, nor life, nor angels, nor principalities, nor powers, nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the" life-giving truths of the Declaration of Independence, in the utmost fullness of their meaning, and the perfect length and breadth of their saving power.

## THE CAUSE AND CURE OF OUR NATIONAL TROUBLES.

IN COMMITTEE OF THE WHOLE ON THE STATE OF THE UNION, JANUARY 14, 1862.

[The congressional speech, during the late war, was a power in the country. It was quite as much the educator as the reflex of the public mind. Very large editions of this speech were published; and whoever will recall the state of the country at the time, the extent to which "Border State" policy and Conservatism swayed the administration, and the Radicalism it finally accepted as a necessity, will be able to estimate the value and timeliness of its utterances.]

MR. CHAIRMAN, — Every thinking man naturally surveys the field of politics from his own peculiar stand-point, and reaches his conclusions by the help of his own methods of thought. Considerable diversities of judgment are therefore inevitable, even among the disciples of the same faith, while uniformity of opinion, however desirable in matters essential, is of far less consequence than perfect freedom of thought. The discovery and practical acceptance of the truth should be our grand aim; and all harmony among men, secured by the sacrifice of this aim, is at once the sure prophecy and natural parent of discord. Since free thought and its free utterance must be the condition precedent of all progress, it may be safe to affirm that he is a better soldier in the army of reform who conscientiously battles even for false principles, than he who meanly accommodates himself to that which has numbers on its side, through a cowardly fear of dissent and division.

I propose, sir, somewhat in the spirit of these observations, to speak of the war in which our country is involved. In the name of a constituency of freemen, I shall say what I believe ought to be said, in the present stage of our national troubles; and I shall do so without favor or fear. This is a war of ideas, not less than of armies, and no servant of the Republic should march with muffled drums against the foe. So far as my own personal or political fortunes are concerned, I shall take no thought for the morrow. This is no time for any public man to confer with flesh and blood. The fabric of free government, reared by our fathers, is in flames. In the opinion of many, the great Model Republic of the world is

in the throes and spasms of death. This is one of the grand judgment-days of history, and whoever believes in the government of the world by a Providence will interpret this tremendous conflict as the voice of Jehovah, calling the nation to account for its sins, and teaching us, through the terrible lesson of civil war, that "the unjust thing shall not prosper." Sir, in a crisis so transcendently appalling as the present, so grandly solemnized by tokens of national retribution, the deepest moral convictions of every man should find a voice, and nothing should be more coveted than perfect self-renunciation and singleness of purpose in the endeavor to save the life of the government and the liberty of the people.

Mr. Chairman, the *cause* of this gigantic conspiracy against the Constitution and laws is the topic which meets us at the very threshold of any intelligent thought or action on our part. What produced this infernal attempt upon the nation's life? What is it that has called into deadly conflict, from the walks of peace, more than a million of men, brethren and kindred, and the joint heirs of a common heritage of liberty? What power is it that has run through the entire gamut of ordinary villainies, and at last turned national assassin? These questions demand an answer. Shall we postpone it, as some of our loyal men advise us, till peace shall be restored, and the Union reëstablished? Sir, this would be to affront common sense, and surrender our mightiest weapons to the rebels. The solemn issue of national life or death must be disposed of upon its merits, and we should bring ourselves face to face with it, and with every question fairly connecting itself with the great controversy. If we expect the favor of God we must lay hold of the *conscience* of our quarrel, instead of keeping it out of sight. The revolutionary struggle of our fathers was preceded by the most exhaustive discussion of the causes which produced it, and which "a decent respect for the opinions of mankind" required them "to declare." They based their justification before the world upon great primal truths, which they declared to be self-evident, and they appealed to the Supreme Judge of the world for the rectitude of their intentions. Thus only could they have conquered. There was no vital question which they sought to ignore or postpone. So should it be with us to-day. Stern work has to be done, and our appeal must be to the enlightened judgment and roused moral sense of the people. The cause and the cure of our troubles are inseparably connected. This rebellion is not a stupendous accident. It is not an eccentric growth, disowning the ordinary law of cause and effect; and we must not "cut the thread of history from behind

it," either to accommodate traitors or timid loyal men. It has not burst into life without any known parentage, but is the legitimate child of the foul ancestry from which it has sprung. It has a discoverable genesis, and the time has come to explore it.

It is argued, in very respectable quarters, that the slavery question has nothing to do with our present troubles. This rebellion, we are told, is the crowning fruit of the heresy of State Rights, as expounded by some of the leading statesmen of our country, and the issue involved, therefore, is simply the old one between the Federal and Democratic parties. Sir, I hope we shall not be misled by this fallacy. I trust our detestation of this rebellion, and of the dogma on which it assumes to be based, will not drive us into a false position. I think there are such things as State Rights, notwithstanding the efforts of rebels to make them a cloak for treason. I believe there is such a principle as State Sovereignty, recognized, while limited, by the Federal Constitution itself. On this question I subscribe, in the main, to the teachings of James Madison, and with him I decline the consequences which slaveholding nullifiers have sought to deduce from his constitutional opinions. And, heartily as I condemn and denounce the dogma of secession, I believe it to be no more pernicious than that other heresy which has steadily aimed to swallow up the States, and all the departments of the government, in the vortex of one centralized federal power. Sir, no warnings of inspired or uninspired man were ever more completely justified by time than the warnings of Thomas Jefferson against federal usurpation; and the principles declared in the case of Dred Scott, if practically recognized and accepted, would as perfectly accomplish the overthrow of the government of our fathers as it would be possible to do by the most extravagant theory of the right of individual States to secede from the Union.

It was not jealousy of the federal power that prompted the cotton States to secede, but their inability longer to rule the National Government in the interest of slavery. It was not jealousy of the aggressions of the State governments that gave birth to the Dred Scott decision, but the influence of that same slave power, sitting like a throned monarch on the supreme bench, in perverting the powers of the government. Whether the Constitution has been made to dip towards centralization or State Rights, the disturbing element has uniformly been slavery. This is the unclean spirit that from the beginning has needed exorcism. Without it there were not defects enough in the system of government which our fathers left



us to endanger its success, or seriously to disturb its equilibrium. To charge this rebellion upon secession, and not slavery, is like charging the domination of slavery itself upon the invention of the cotton-gin. Without the previous existence of slavery in the Southern States, cotton would not have been king. Instead of one all-engrossing pursuit, there would have been a healthy variety of enterprises, multiplied objects of interest, all conducted by educated labor, and stimulated by remuneration and the influence of competition. Slavery founded the kingdom of cotton, and secured its present ascendancy under the motive power of fresh lands and new labor-saving machinery, which it employed as the *occasion* for putting forth new life ; and slavery is now seeking to found an empire of rebel sovereignties, in the name of State Rights, which it uses as the convenient but perverted instrument of its purpose.

Mr. Chairman, when I say that this rebellion has its source and life in slavery, I only repeat a simple truism. No fact is better understood throughout the country, both by loyal and disloyal men. It is accepted by the people as if it were an intuition. And the germ of our troubles, it must be confessed, is in the Constitution itself. These may seem ungracious words, and will certainly win no applause ; but it is best to face the truth, however unwelcome, and, if possible, profit by its lesson. I think it was Granville Sharpe who said that “ God, in founding the universe, made it certain that every bargain with the devil should weaken the man who makes it.” Sir, had our fathers, in the beginning, seen this truth in the light of the terrible facts which bear witness to it to-day, this horrid legacy of civil war would not have been entailed upon their children. On this subject I am not without very high authority, and I prefer to quote it :—

“ In the Articles of Confederation there was no guarantee for the property of the slaveholder ; no double representation of him in the federal councils ; no power of taxation ; no stipulation for the recovery of fugitive slaves. But when the powers of *government* came to be delegated to the Union, the South—that is, South Carolina and Georgia—refused their subscription to the parchment till it should be saturated with the infection of slavery, which no fumigation could purify, no quarantine could extinguish. The freemen of the North gave way, and the deadly venom of slavery was infused into the Constitution of freedom.”

So said John Quincy Adams, and he pronounced the bargain thus made by our fathers “morally and politically vicious.” This bargain is the fountain of all our disasters. South Carolina and

Georgia loved slavery better than they loved the Union, and hence our Union with them has proved ill-matched, unnatural, and calamitous. The Constitution received its life in concessions which slavery *demand*ed as conditions of union, and slavery, from that moment, has assumed to deal with the Constitution as its master. The rebels to-day in arms against the government are the fit representatives of the rebels whom our fathers sought in vain to make loyal by concessions in the beginning.

I do not say that the founders of our government are to be judged in the light of the terrible evils which have been the offspring of their mistake. We must view their action from their own point of vision, taking into the account their known opinions, wishes, and expectations. They regarded slavery with abhorrence. They would not allow the word slave, slavery, or even servitude, to be named in the Constitution. They believed the evil to be in the course of speedy decay and death. They forbade its introduction into all territory under national control. They took measures to cut off the foreign supply, the great artery of its life. Private emancipations were rapidly going on in all the States, under the influence of the Declaration of Independence and the struggle for their own liberty. The concessions which they made, so emphatically condemned by Mr. Adams, must be interpreted by these facts of history, which must ever vindicate their good intentions, and separate them from the compromisers of a later day. They thought they were simply yielding to slavery a transient sufferance, a brief hospitality, so that it might die and pass away "decently and in order;" and they did not dream that the evil thus abetted would treacherously demand perpetuity, and bid freedom serve at its black altar. It is not possible to believe that their bargain with slavery would ever have been made, had they foreseen the curses it has entailed upon the nation. Perfidiously laying hold of concessions generously made in its favor in the beginning, and too liberally repeated afterwards, and unwilling at length to share even a divided empire with freedom, to whom it has turned a deaf ear and an averted face, it has systematically trampled the Constitution under its feet in its ruthless march towards absolute dominion over these States. The first fatal concession to this rebel power prepared the way for a second, and the history of its relations to the government is a history of persistent but unavailing endeavors to placate its spirit, and make it possible for the nation to live with it in peace.

We gave it three large States, carved out of the Territory of

Louisiana. The purchase of Florida was in obedience to its demands, and so was the prosecution of the Seminole and Florida wars. We assisted in expelling the red man from seven or eight States of the South, and forcing him into slavery, at the cost of many millions to the government, so that the white man could enter with his peculiar institution where otherwise it was forbidden. In order to "save the Union" and propitiate men who subordinated it to negro slavery, we abandoned the early policy of the fathers in 1820. In the same spirit we consented to add an empire to slavery in the Southwest, in the annexation of Texas. We united in the prosecution of the Mexican War, well knowing that the extension of slavery was its object. Under the threat of disunion in 1850, we abandoned the Wilmot Proviso, and entered into a covenant that the Territories of Utah and New Mexico should be received into the Union, with or without slavery as their people might determine; thus tempting the South to apply this principle, which was done in 1854, to the territory saved by the Missouri restriction; and by way of good measure we furnished our rebel brethren with a fugitive slave act, which they had not seriously demanded as a condition of their loyalty. The Missouri Compromise, made to pacify slavery, was overthrown at its bidding, by the help of Northern votes, while the Dred Scott decision was the work, in part, of Northern judges. Our hatred of the negro has cropped out in black codes in the free States which rival in villainy the worst features of the slave laws of the South. We have allowed slavery to expurgate our literature and mutilate the school-books of our children, while even the grand instrumentalities of the Church—its Tract and Bible and Missionary and Sunday-school associations—have submitted to its unhallowed surveillance. We have consented to the suspension of the Constitution in the free States, through the Fugitive Slave Act of 1850, so far as the rights of trial by jury and *habeas corpus* are concerned; and in the slave States, so far as the rights of locomotion and free speech relate to our own citizens, whom we meekly permit to be driven out by mobs, tarred and feathered, or hung like criminals, without cause. We have permitted both Houses of Congress, the Executive and Judicial Departments of the government, the Army and Navy, and our Foreign Diplomacy, to be controlled by this rebel interest, with the power all the while in our own hands to have done otherwise. Sir, it has ruled the Republic from the beginning. To pet and please it seems to have been the work of our lives, and upon its rebel altar our public men, through long years of devil-worship, have offered their sacrifices.



Nor has the Republican party, Mr. Chairman, been wanting in tokens of forbearance towards the slave interest. While emphatically avowing an anti-slavery policy, to a certain extent, it has been still more emphatic in *disavowing* any purpose to go beyond its self-imposed limits. Nothing could exceed the persistency, emphasis, and fervor with which its editors, orators, and leaders have disowned the intention to interfere with slavery in the States of the South. They have protested, perpetually, and with uplifted hands, against "abolitionism," as if slavery had the stamp of divinity upon its brow. Denials, disclaimers, deprecations, virtual apologies to slavery, have been the order of the day with very many of our leaders; and so perfectly have we understood the art of prophesying smooth things, that multitudes have joined our organization, less through its known anti-slavery purpose, than the disavowal of any such purpose by those who have assumed to speak in its name. Great forbearance, moderation, and a studious deference to the constitutional rights of slavery, have uniformly marked the policy of the Republican party, and would have prevented this rebellion, had it been possible through the spirit of conciliation. Its chosen President is a cool, cautious politician, of conservative antecedents and most kindly disposition. No fact was better known to the leaders of this rebellion than that their constitutional rights were perfectly safe in his hands. He so assured them, solemnly, in his inaugural address. He declared himself in favor of enforcing the Fugitive Slave Act. He expressed his willingness to see the Constitution so amended as to tie up the hands of the people, forever, against the right to interfere with slavery in the States of the South; and this proposition to incorporate the Lecompton Constitution into the Constitution of the United States was adopted by both Houses of Congress, and submitted to them by the Peace Congress of last winter, inaugurated under Republican auspices, for the purpose of settling our national troubles without a resort to war. When all these friendly overtures were defiantly spurned by the rebels, the President still clung to the hope of rescuing them from their madness. He still thought it his duty to strive with them, through much forbearance, patient waiting, cautious diplomacy, and fatherly solicitude. So systematically did he seem to go down into the Valley of Humiliation, that some of his own party friends, yielding to their impatience, pronounced the first six weeks of his administration simply a continuation of the policy of his predecessor. Every conceivable expedient was resorted to to preserve the public peace, and with such ingenuity and steadfastness did the



Executive pursue his policy in this direction, that the rebels were at last obliged to fire upon Fort Sumter for no better reason than the sending of provisions to prevent our garrison from starvation, which he kindly assured them was the sole purpose of the expedition.

Sir, this rebellion is a bloody and frightful demonstration of the fact that slavery and freedom cannot dwell together in peace. The experiment has been tried, thoroughly, perseveringly, and with a patience which defied despair, and has culminated in civil war. We have pursued the spirit of conciliation to the very gates of death, and yet the "irrepressible conflict" is upon us, and must work out its needed lesson. I do not refer to our uniform forbearance toward slavery as a virtue. On the contrary, this has only maddened and emboldened its spirit, and hastened an event which was simply a question of time. We, in the free States, are not wholly guiltless, but I charge to the account of slavery that very timidity and lack of manhood in the North through which it has managed to rule the nation. It has prepared itself for its work of treason by feeding upon the virtue of our public men and demoralizing the spirit of our people. As an argument against slavery, this rebellion is absolutely overwhelming. Nothing could possibly add to its irresistible force. Other arguments, however convincing to men of reflection, have not thus far been able to rouse the mass of our people to any very earnest opposition to slavery upon principle; but this argument must prevail with every man who is not a rebel at heart. This black conspiracy against the life of the Republic, which has armed half a million of men in its work of treason, piracy, and murder, — this magnificent spectacle of total depravity made easy in real life, is the crowning flower and fruit of our partnership with the "sum of all villainies." All the crimes and horrors of this struggle for national existence cry out against it, and demand its utter political damnation. In the fires of the revolution which it has kindled, it has painted its own character with a pencil dipped in hell. The lives sacrificed in the war it has waged, the agonies of the battle-field, the bodies and limbs mangled and maimed for life, the widows and orphans made to mourn, the moral ravages of war, the waste of property, the burning of bridges, the robbery of forts, arsenals, navy-yards, and mints, the public sanction and practice of piracy, and the imminent peril to which the cause of free government throughout the world is subjected, all write their deep brand upon slavery as a Christless outlaw, and plead with us to smite it in the name of God.

Can I be mistaken, Mr. Chairman, in holding slavery to this fearful reckoning? If so, why has there been no rebellion in any non-slaveholding State? Why is it, that in the great centres of slavery treason is most rampant, while, as we recede into regions in which the slaves are few and scattered, as in Western Virginia, Delaware, and other border States, we find the people loyally disposed toward the Union? These facts admit of but one explanation. Kindred to them is the known character of the men who are conducting this rebellion. They tell us, as Vice President Stephens has done, that slavery is to be the corner-stone of the Southern Confederacy. Its leaders and their associates denounce Jefferson as a sophist, and the Declaration of Independence as "Red-Republican doctrine." They speak of the laboring millions of the free States as the "mud-sills of society," as a "pauper banditti," as "greasy mechanics and filthy operatives." They declare that "slavery, black or white, is right and necessary;" and this doctrine has been advocated by the Southern pulpit, and by the leading newspapers of Charleston, Richmond, and New Orleans. They believe with Calhoun, that slavery is "the most safe and stable basis for free institutions in the world." They agree with Governor Hammond, that "slavery supersedes the necessity of an order of nobility, and the other appendages of a hereditary system of government." They teach that "capital should own labor," and that "some men are born with saddles on their backs, and others booted and spurred to ride them by the grace of God." In the language of a distinguished rebel Senator, they "would spread the blessings of slavery, like the religion of our Divine Master, to the uttermost ends of the earth." By these atrocious sentiments they are animated in their revolt against the government. Sir, does any man doubt that, should the rebels triumph over us, they will establish slavery in every free State? Was not the immediate cause of the revolt their inability to diffuse this curse under the Constitution? They do not disguise the fact that they are fighting for slavery. They tender us that special issue, and have staked the existence of their Idol upon the success of their arms against us. If we meet them at all, we necessarily meet them on the issue they tender. If we fight at all, we must fight slavery as the grand rebel.

Do you tell me that the question involved in this war is simply one of Government or No Government? I admit it; but I say the *previous* question is slavery or freedom; or rather, it is the same question, stated in different words. Slavery and treason, in

this struggle, are identical. It is slavery which to-day has the government by the throat, and thus thrusts upon us the issue of its life or death. Do you say that the preservation of the Union must be kept in view as the grand purpose of the war on our part? I admit it; but I say that nothing but slavery has brought the Union into peril. Its whole career, as I have shown, has been a perpetual conspiracy against the Constitution, crowned at last by a deadly stab at its life. Am I told that this is a war for the life and liberty of a nation belonging chiefly to the white race, and not a war for the emancipation of black men? I frankly agree to it; but I insist that our national life and liberty can only be saved by giving freedom to all, and that all loyal men, therefore, should favor emancipation. Shall the nation be sacrificed rather than break the chains of the slave? Shall we madly attempt to carry on the war as if slavery had no existence? Shall we delude ourselves by mere phrases, and pretend ignorance of what every one knows and feels to be veritable truth? Shall we prosecute this war on false pretenses? Shall we even shrink from the discussion of slavery, or talk about it in circumlocutions, lest we give offense to rebels and their sympathizers?

I know it was not the purpose of this administration, at first, to abolish slavery, but only to save the Union, and maintain the old order of things. Neither was it the purpose of our fathers, in the beginning of the Revolution, to insist on independence. Before the first battles were fought, a reconciliation could have been secured simply by removing the grievance which led to arms. But events soon prepared the people to demand absolute separation. Similar facts may tell the story of the present struggle. In its beginning, neither the administration nor the people foresaw its magnitude, nor the extraordinary means it would employ in prosecuting its designs. The crisis has assumed new features as the war has progressed. The policy of emancipation has been born of the circumstances of the rebellion, which every hour more and more plead for it. "Time makes more converts than reason." I believe the popular demand now is, or soon will be, the total extirpation of slavery as the righteous purpose of the war, and the only means of a lasting peace. We should not agree, if it were proposed, to restore slavery to its ancient rights under the Constitution, and allow it a new cycle of rebellion and crime.

The rebels have demanded a "reconstruction" on the basis of slavery; let us give them a "reconstruction" on the basis of freedom. Let us convert the rebel States into conquered provinces,

remanding them to the *status* of mere Territories, and governing them as such in our discretion. Under no circumstances should we consent to end this struggle on terms that would leave us where we began it. To conclude the war by restoring slavery to the constitutional rights it has forfeited by treason, would be as unreasonable as putting out the fire, and turning loose the incendiary with torch in hand. It would be like reinstating the devil in Paradise, to reenact his rebellion against the Most High. Sir, let us see to it, that out of this war shall come a permanent peace to these States. Let us demand "indemnity for the past, and security for the future." The mere suppression of the rebellion will be an empty mockery of our sufferings and sacrifices, if slavery shall be spared to canker the heart of the nation anew, and repeat its diabolical deeds. No, Sir. The old dispensation is past. It served us as a schoolmaster, to bring us into a new and higher one, and we are now done with it forever. We determined, in 1860, that the domination of slavery should come to an end. The government had long been drifting into its vortex, but we resolved, at whatever cost, to rescue it. Had we been satisfied with the rule of slavery, as it existed prior to the rebellion, we might have had peace to-day. We might have agreed to the election of Breckinridge. We might have avoided war, even after the election of Mr. Lincoln, by calling into his Cabinet the chief rebel conspirators, who would have been pacified by the spoils, while serving the behests of slavery. Having chosen a different course by the election of a man committed to a specific anti-slavery policy, and having undertaken to execute that policy against all opposition, we are now shut up to the single duty of crushing the rebellion at all hazards, and blasting, forever, the power that has called it into life.

Mr. Chairman, our *power* to destroy slavery now, I believe, is not questioned. The law of nations applicable to a state of war takes from this rebel power every constitutional refuge it could claim in a time of peace. The principle is thus declared by the illustrious statesman whose authority I have already quoted respecting another topic : —

"I lay this down as the law of nations. I say that the military authority takes, for the time, the place of all municipal institutions, slavery among the rest. Under that state of things, so far from its being true that the States where slavery exists have the exclusive management of the subject, not only the President of the United States, but the Commander of the army, has power to order the universal emancipation of the slaves."

And again : —



"From the instant that your slaveholding States become the theatre of war, civil, servile, or foreign, from that instant the war powers of Congress extend to interference with the institution of slavery, in every way in which it can be interfered with, from a claim of indemnity for slaves taken or destroyed, to the cession of a State burdened with slavery to a foreign power."

This, Sir, is the grand weapon which the rebels have placed in our hands, and we should use it as a matter of clear and unhesitating duty. Not that the Constitution is so absolutely perfect, or so entirely sacred, that we can in no event disregard it. The nation is greater than the Constitution, because it made the Constitution. We had a country before we had a Constitution, and at all hazards we must save it. The Constitution was made for the people, not the people for the Constitution. Cases may arise in which patriotism itself may demand that we trample under our feet some of the most vital principles of the Constitution, under the exigencies of war.

"Man is more than constitutions ; better rot beneath the sod,  
Than be true to Church and State, while we are doubly false to God."

But so far as emancipation is concerned, constitutional difficulties, if any existed, are no longer in the way, since the Constitution itself recognizes the war power of the government, which the rebels have compelled us to employ against them. They have sown the wind, now let them reap the whirlwind. We have leave to do what the great body of the people have hitherto excused themselves from doing, on the ground of impassable constitutional barriers, and our failure to act will be as criminal as the blessings of universal freedom would be priceless. "Man's liberty is God's opportunity." Not for all the wealth or honors of the universe should we now withhold our suffrage from the proposition to "proclaim liberty throughout all the land, to all the inhabitants thereof." Never, perhaps, in the history of any nation has so grand an occasion presented itself for serving the interests of humanity and freedom. And our responsibility, commensurate with our power, cannot be evaded. As we are freed from all antecedent obligations, we should deal with this remorseless oligarchy as if we were now at the beginning of the nation's life, and about to lay the foundations of empire in these States for ages to come. Our failure to give freedom to four millions of slaves would be a crime only to be measured by that of putting them in chains if they were free. If we could fully grasp this idea, our duty would become at once plain and imperative. We want not simply the military power to crush the rebellion, but the statesmanship that shall comprehend the crisis, and coin this "golden moment" into jewels of liberty and peace, for the future glory of the Republic.

Slavery, as I have already shown, has been the evil genius of the government from its birth. It has frustrated the design of our fathers to form "a more perfect Union." It has made it impossible to "establish justice," or "to secure domestic tranquillity." It has weakened the "common defense" by inviting foreign attack. It has opposed the "general welfare" by its merciless aristocracy in human flesh. It has denied us "the blessings of liberty," and given us its own innumerable curses instead. It has laid waste the fairest and most fertile half of the Republic, staying its progress in population, wealth, power, knowledge, civilization, the arts, and religion, thus heaping its burdens upon the whole nation, and costing us far more than the market value of all the millions in bonds. It has made the establishment of free schools and a general system of education impossible. It has branded labor as dishonorable and degrading. It has filled the ranks of infidelity, and brought religion itself into scorn, by bribing its professors to espouse its revolting iniquity. It has laid its wizard hand upon the mightiest statesmen and most royal intellects of the land, and harnessed them, like beasts of burden, in its loathsome service. It has denounced the Declaration of Independence as a political abomination, and dealt with our fathers as hypocrites, who affirmed its self-evident truths with a mental reservation, while appealing to the Supreme Judge of the world for the rectitude of their intentions. While spreading licentiousness, concubinage, and crime where it rules, it has lifted up its rebel voice in the name of the United States, in pleading the cause of despotism in every part of the civilized world. And, as the fitting climax of its career of lawlessness, it has aimed its dagger at the government that has fostered and guarded its life, and borne with its evil deeds, for more than seventy years. Sir, this mighty rebel against all law, human and divine, is now within our grasp, and we should strangle it forever. "New occasions teach new duties," and we should employ every weapon which the laws of war place within our reach in scourging it out of life. Not to do so, I repeat, would be the most heaven-daring recreancy to the grand trust which the circumstances of the hour have committed to our hands. God forbid that we should throw away this sublime occasion for serving his cause on earth, leaving our children to deplore our failure, as we to-day have to deplore the slighted opportunities of the past.

Mr. Chairman, I have not referred, directly, to the question of humanity involved in the policy of crushing slavery by the war power. That subject has been considerably discussed before the

country, and I do not propose to enter upon it here, beyond the incidental bearings of my argument. I waive none of my humanitarian grounds of opposition to slavery, but I prefer to deal with the practical issues of the crisis. I am for putting down slavery as a "military necessity," and as the dictate of the highest statesmanship. The immediate question before the country is the suppression of the rebellion, and the common laws which govern a war between nations apply to the conduct of a civil war. These laws are thus laid down by Vattel: —

"Since the object of a just war is to repress injustice and violence, and forcibly to compel him who is deaf to the voice of justice, we have a right to put in practice against the enemy every measure that is necessary in order to weaken him, and disable him from resisting us and supporting his injustice; and we may choose such methods as are most efficacious, and best calculated to attain the end in view, provided they be not of an odious kind, nor unjustifiable in themselves, and prohibited by the law of nature."

Sir, I insist upon the application of this well-recognized principle of public law. That the overthrow of slavery "is necessary in order to weaken" the enemy, "and disable him from resisting us and supporting his injustice," will not be disputed. That it would be a measure "most efficacious and best calculated to attain the end in view," is equally clear. Nor would it be "odious" to restore four millions of slaves to their natural rights, or "unjustifiable" in itself, or "prohibited by the law of nature." The friends of the Union need ask nothing more than the just application of the law of nations, and they certainly should be content with nothing less.

A right to subdue the rebels carries with it a right to employ the means of doing it, and of doing it effectively, and with the least possible cost. If slavery had not been made a party question, and trained us to yield an unnatural deference to its assumptions, we should have laid violent hands upon it at once. The thought of tenderly sparing it would not have occurred to any loyal man. As the most vulnerable point of the rebels, we should naturally have aimed at it our first and hardest blows; and I insist that we shall so far forget our party prejudices and the dread of "abolitionism," as to do what the dictates of common sense and a regard for our own safety so clearly demand. Facts, bloody and terrific, are every day proving that slavery, or the Republic, must perish. As the animating principle of the rebellion it stands between us and the Union, and we are compelled to smite it. To strike at it is to strike at treason; and to favor it in any way, how-

ever unwittingly, is to take sides with the rebels. They cherish it as the most precious of all earthly blessings. They love it with all the force of a long-fostered community of feeling; and the assertion is well attested, that the loss of a slave by Northern agency excites more sudden and wide-spread indignation than would the murder of his master.

Mr. Chairman, I need make no argument to prove that slavery is an element of positive strength to the rebels, unless we employ it in furthering our own cause. The slaves till the ground, and supply the rebel army with provisions. Those not fit to bear arms oversee the plantations. Multitudes can be spared for the army, since women overseers are as capable and trustworthy as men. Of the entire slave population of the South, according to the estimates of our last census returns, one million are males, capable of bearing arms. They cannot be neutral. As laborers, if not as soldiers, they will be the allies of the rebels, or of the Union. Count all the slaves on the side of treason, and we are eighteen millions against twelve millions. Count them on the loyal side, and we are twenty-two millions against eight. How shall this black power be wielded? A gentleman, occupying a very high official position, has said that it would be a disgrace to the people of the free States to call on four millions of blacks to aid in putting down eight millions of whites. Shall we then freely give the rebellion four millions of allies, at the certain cost to us of many millions of money and many thousands of lives? And, if so, may we not as well reinforce the rebels with such portion of our own armies as will make the contest equal in numbers, and thus save our cause from "disgrace?" Is the conduct of this war to be the only subject which requires men to discard reason and forget humanity?

The rebels use their slaves in building fortifications; shall we not invite them to our lines, and employ them in the same business? The rebels employ them in raising the provisions, without which their armies must perish; shall we not entice them to join our standard, and thus compel the enemy to reinforce the plantation by weakening the army? The rebels employ them as cooks, nurses, teamsters, and scouts; shall we decline such services in order to spare slavery? The rebels organize regiments of black men, who shoot down our loyal white soldiers; shall we sacrifice our sons and brothers for the sake of slavery, refusing to put black men against black men, when the highest interests of both white and black plead for it? In the battles of the Revolution, and in



the War of 1812, slaves and free men of color fought with a valor unexcelled by white men. Are we afraid that a like honor to the colored man would be repeated, and thus testify against his enslavement? I do not say that any general policy of arming the slaves should be avowed; but that in some capacity, military or civil, according to the circumstances of each particular case, they should be used in the necessary and appropriate work of weakening the power of their owners. Under competent military commanders we may possibly be able to subdue the rebels without calling to our aid their slaves; but have we a right to reject it, at the expense of prolonging the war, and augmenting its calamities? Is it a small thing to sacrifice unnecessarily the lives of our young and middle-aged men, the flower of the land, and rive with sorrow the hearts of friends and kindred? Can we afford a dollar of money, or a drop of blood, to spare the satanic power that has hatched this rebellion into life, and is now the sole barrier to our peace?\*

Sir, when the history of this rebellion shall be written, its saddest pages will record the careful and studious tenderness of the administration toward American slavery. I say this with the sincerest regret. I do not doubt the good intentions of the President, nor would I forget the trying circumstances in which he and his advisers have been placed. Upon them, to a very great extent, must the hopes of our country rest in this crisis. To sustain their policy, wherever I can honestly do so, as a representative of the people, is my first duty; and my second is, frankly to point out its errors, whilst avoiding, if possible, the attitude of an antagonist. Instead of making slavery the special object of attack, as the weak point of the enemy, and the guilty cause of the war, the policy of the administration has been that of perpetual deference to its claims. The government speaks of it with bated breath. It handles it with kid gloves. Very often has it spread its parental wing over it, as the object of its peculiar care. In dealing with the interests of rebels, it singles out as its pet and favorite, as the spared object of its love, the hideous monster that is at once the body, soul, and spirit of the movement we are endeavoring to subdue. While the rebels have trampled the Constitution under their feet, and pursued their purposes like Thugs and pirates, the government has lost no opportunity of declaring that the constitutional rights of slavery shall be protected by loyal men. The Secretary of State, in his instructions to Mr. Adams, of the 10th of April last, says: "You will indulge in no expressions of harshness, or

disrespect, or even impatience, concerning the seceded States, their agents, or their people."

And he warns Mr. Adams to remember that these States are, and must ever continue to be, "equal and honored members of this Federal Union," and that their citizens "still are, and always must be, our kindred and countrymen." In his letter to Mr. Dayton, of April 22, he tells him that "the rights of the States, and the condition of every human being in them, will remain subject to exactly the same laws and forms of administration, whether the revolution shall succeed or whether it shall fail; their constitutions and laws, customs, habits, and institutions, in either case, will remain the same."

In this he is followed by the President in his message of the 4th of July. In the letter just referred to Mr. Seward even denies that any war exists between the loyal and disloyal States. Although in his letter to Mr. Clay, of May 6, he admits that the object of this rebellion is to create a nation built upon the principle that African slavery is a blessing, to be extended over the Continent at whatever cost or sacrifice, yet in his letter to Mr. Corwin, of April 6, he says: "The President does not expect that you will allude to the origin or causes of our domestic difficulties in your intercourse with the government of Mexico."

The Secretary of War has taken pains to say, with emphasis and reiteration, that "this is a war for the Union, for the preservation of all constitutional rights of States, and the citizens of all the States of the Union."

I believe the Attorney General has been equally emphatic, and that he has even insisted upon the enforcement of the Fugitive Slave Act in Missouri, without any reference to the rebellion. The Secretary of the Interior, in a public speech in August last, declared that "this is not a war upon the institution of slavery, but a war for the restoration of the Union and the protection of all citizens, in the South as well as in the North, in their constitutional rights."

And he affirmed that "there could not be found in South Carolina a man more anxious, religiously and scrupulously, to observe all the features of the Constitution relating to slavery, than Abraham Lincoln."

Both Houses of Congress, in July, chimed in with this chorus of loyal voices on the side of the assumed constitutional rights of rebels, and our innocence of any hostile designs toward them; while the wretched legislative blunder known as the Confiscation

Act is a fruit of the same fastidious and gingerly policy. No one, certainly, should condemn the government for defining its position truly and cautiously as to its purpose and policy respecting the rebellion; but these never-ending platitudes about our kind intentions, and the constitutional rights of the scoundrels who have abdicated the Constitution and ceased to have any rights under it, show how fearfully the power of slavery continues to mesmerize the conscience and manhood of our public men.

To this strange deference to slavery must be referred the fact that such swarms of disloyal men have been retained in the several departments of the government, and that the spirit and energy of the war have been paralyzed from the beginning. To the same cause must we attribute the recent proclamations of General Sherman and General Dix, and the humiliating services of our armies in the capture and return of fugitive slaves. Again and again have our commanders engaged in this execrable business, in disregard of the Constitution, and in defiance of all precedent. In numerous instances fugitives have been delivered to rebel masters, — an offense compounded of piracy and treason, which should have been punished with death. Our soldiers have not only been compelled to take upon them the duties specially and exclusively belonging to the officers of law, provided by the Fugitive Act of 1850, but have been required to return fugitives when they had not passed out of the State in which they belonged, and where, of course, the law itself would furnish no remedy. Sir, our treatment of these fugitives has not only been disgraceful, but infamous. For the rebels, the Constitution has ceased to exist; but were it otherwise, it is neither the right nor the duty of our army to return their slaves. The Constitution deals with them as persons, and knows them only as loyal or disloyal. If they are disloyal, they are simply belligerents, and if found among us should no more be allowed to return than other rebels. If as loyal men they come to our lines, tendering us their aid, our commanders who return them to their rebel claimants should be summarily crowned with the honors of the gallows. I cannot now go into the history of the numerous cases in which officers of our army have driven from our lines, or restored to their claimants, the slaves who have come within our jurisdiction, and whose information, had it been accepted, would have averted some of the bloodiest tragedies of the war; but I trust some painstaking gentleman will undertake this task, and perform it honestly and thoroughly, however damning the record may be to the parties concerned.

The conduct of the administration toward General Fremont forms a kindred topic of criticism. When he proclaimed freedom to the slaves of rebels in Missouri, it was greeted with almost universal joy throughout the free States. The popular instinct at once recognized it as a blow struck at the heart of the rebellion. The order that rebels should be shot did not carry with it half the significance of this proclamation of freedom to their slaves. But the President at once modified it, so far as its anti-slavery features went beyond the Confiscation Act of July. He had no objection to the shooting of rebels, though it was as unwarranted by the act of Congress as the emancipation of their slaves. Their slave *property* must be held as more sacred than any other property; more sacred than their lives; more sacred even than the life of the Republic. Could any policy be more utterly suicidal? Slavery burns our bridges; poisons our wells; destroys the lives of our people; fires our hospitals; murders our wounded soldiers; lays waste the country; turns pirate on the sea; confiscates our property of every description; arms with butcher-knives and tomahawks the savages of the Southwest as its allies; deals with *our* institutions with remorseless fury; and, in short, inundates the land with the villainies and crimes born of its devilish rule over these States; but when General Fremont declares that the slaves of rebels in arms against us within his military jurisdiction shall be free, the President — no doubt with the best of motives, but as if determined to give all the aid in his power to the rebellion — countermands the proclamation. He says he does this “most cheerfully.”

The rebels may be shot, but while they keep up the fight against us their slaves shall supply them with provisions, without which their armies must perish, and the lives of loyal men might be spared. The Confiscation Act bribes all the slaves of the South to murder our people, and the President refuses to allow the war power to go beyond it. The effect is, that if the slaves engage in the war at all, they must do so as our enemies, while, if they remain at home on their plantations, in the business of feeding the rebel army, they will have the protection both of the loyal and confederate governments. Sir, is not this a practical espousal of the rebellion by the administration? When both parties to this struggle agree in subordinating the Union to slavery, is it not time for the people to speak? When the country is pouring out its treasure in streams that threaten it with financial ruin, and periling the lives of hundreds of thousands of our picked men to save the Republic, can we endure a policy so fatal to our success and so merciless in its results?



It is known that General Fremont's proclamation was modified to accommodate the loyal slaveholders of Kentucky ; but what right, I ask, had the loyal men of that State to complain if the disloyal men of Missouri forfeited their slaves by treason ? If pretended loyal men in Kentucky or elsewhere value slavery above the Union, then they are not loyal, and the attempt to make them so by concessions will be vain. A conditional Union man is no Union man at all. Loyalty must be absolute. "If the Lord be God, serve him ; but if Baal, serve *him*." There can be no middle ground. This, as I have said, is a war between the government and slavery, and no man can really serve these two masters at the same time.

To this dread of offending slavery must be charged our loss of the sympathy and respect of the civilized world. We have no true battle-cry. We are fighting only for the Union, and taking pains to tell mankind that this does not mean liberty. We are the champions of "law and order," and by giving foreign nations to understand that we are making common cause with the rebels for slavery, or at least doing nothing to oppose it, we justify Lord John Russell in saying that this is simply "a war for independence on the part of the South, and for power on the part of the North." On the other hand, by assuming the attitude of revolutionists, the rebels appeal successfully to the sympathy of the millions in the Old World who love liberty, and whose zealous espousal of our cause could be secured by writing freedom on our banner. Thus slavery murders our cause at home and invites hostility from abroad. According to Mr. Grattan, late British Consul at Boston, the demand for emancipation by our government "would ring in the ears of all England like an alarm-bell, and stir the depths of popular feeling with the fervor of the Reformation, or the fanaticism of the Crusades." This is probably overstated, but is by no means wholly wanting in truth. I believe it was Daniel Webster who declared that public opinion is the mightiest power on earth. This power, to-day, is against us, through the timid and feeble policy we have pursued in dealing with the slave-breeders of the South. England has insulted us, and we are still in imminent peril of a foreign war, because slavery has palsied the arm of the government, allowed it to utter no spirit-stirring word, balked the enthusiasm of the people, belittled the issue involved in our struggle, and held in fatal inactivity for months past our eager and brave soldiers who would have brought this rebellion to an end ere to-day, had they been permitted to march against the enemy under competent

commanders. The government, taking counsel of its fears, has not dared to adopt a just policy, for fear of alienating its own pretended friends. The mistake of swerving the whole management of the war from its true course, in order to accommodate the equivocal loyalty of the border States, has brought the country to the very brink of ruin. It prevented, at first, the adoption of those bold and vigorous measures which might have strangled the rebellion before its birth, and is still protracting the struggle and sporting with our opportunities of success. Sir, our policy must be changed, radically and speedily, if we mean to be in earnest. We must let the world know that this is not a struggle for slavery in the border States, but for Liberty and Republicanism, and thus enlist the millions in the Old World in our cause, by fighting their battle as well as our own. If we fail to do this, and continue to carry on the war on the principle of "how not to do it," our grand armies will continue idle, our means of carrying on the war will be exhausted, the spirit of the people will at last give way, the power of the rebels will increase, foreign wars will be inevitable, and the cause of free government throughout the world will find a common grave with the institutions of our fathers.

Mr. Chairman, the time has come for us to deal with the actual and stern facts of our condition. We must cease to regard the rebels as misguided men, whose infatuation is to be deplored, whilst we still hope to bring them to their senses. We must cease our attacks upon the strong points only of the enemy, whilst we fail to strike at the weak ones, and madly hope to woo them back to a sense of their folly and crime. We must abandon, entirely, the delusion that rebels and outlaws have any rights under the Constitution, and deal with them *as* rebels and outlaws. No men since the world was made were ever more in earnest. They hate us supremely. The rattlesnake is the fitly chosen symbol of their black confederacy. Their wrath is a desolating fire. The felt consciousness that they are in the wrong, and that we have for so many long years been the victims of their injustice, animates them with the fury of devils. They despise us all the more for every appeal we make to their sense of justice and fair play. They regard our free labor and free institutions with unutterable abhorrence. If they had the power they would exterminate us from the face of the earth. They have turned loose to prey upon the Republic the transmitted vices and diabolisms of two hundred years, and sooner than fail in their struggle they would light up heaven itself with the red glare of the Pit, and convert the earth into a carnival

of devils. They have a mighty army, led by some of the ablest commanders in the world, and nerved for bloody deeds by all the power of desperation.

Sir, in such a contest we can spare no possible advantage. We want no war "conducted on peace principles." Every weapon within our reach must be grasped. Every arrow in our quiver must be sped toward the heart of a rebel. Every obstacle in the path of our conquering hosts must be trodden down. War means ruin, destruction, death, — and loyal slaveholders, and loyal non-slaveholders must stand out of the way, in this tremendous encounter with the assassins of liberty and free government. All tenderness toward such a foe is treason to our cause, murder to our people, faithlessness to the grandest and holiest trust ever committed to a free people. The policy for which I plead, sooner or later, *must* be adopted, if the rebels are to be mastered, and every delay puts in peril the precious interests for which we fight. Let us act at once, putting forth all our power. Let the war be made just as terrific to the rebels as possible, consistently with the laws of war. This will be at once a work of mercy, and the surest means of our triumph. Let us not mock the Almighty by waiting till we are forced by needless calamities to do what should be done at once, as the dictate alike of humanity and policy; for it may happen, when this rebellion shall have hung crape on one hundred thousand doors in the free States, that a ruined country will taunt us with the victory which might have been ours, and leave us only the poor consolation of bitter and unavailing regrets.

Mr. Chairman, the sweeping policy I would have the government adopt toward slavery will be objected to on the ground of its injustice to the loyal slaveholders of the South. To this objection I have several replies to make.

In the first place, I would pay to every loyal slave claimant, on due proof of loyalty, the fairly-assessed value of his slaves. I would not do this as *compensation*, for no man should receive pay for robbing another of his earnings, and plundering him of his humanity; but as a means of facilitating a settlement of our troubles, and securing a lasting peace, I would tax the public treasury to this extent. From the beginning, slavery has been an immense pecuniary burden, and we can well afford to pay the amount which this policy would impose, for the sake of getting rid of that burden forever.

In the next place, I reply that the total extirpation of slavery will be our only security against future trouble and discord. By

any sacrifice, and by all possible means, should we now guard against a repetition of the scenes through which we have been called to pass. If we will heed the lesson of experience, we cannot go astray. Our fathers were very sure they had opened a vein that would speedily bleed slavery to death; but this rebellion is the bloody witness of their mistake. Shall we not profit by the lesson? It may be that, if the slaves of rebels are set free, slavery itself will fall. I do not believe it. The assertion has neither fact nor philosophy to sustain it. No man, at any rate, *knows* it to be true; and for this reason, having now the power, we should foreordain the blessed fact which else may never come to pass. We have no right, certainly, to expose the future glory and peace of our country even to remote hazard, if we hold in our hands the power to prevent it.

I reply further, that while loyal slaveholders may dislike exceedingly to part with their slaves, and still more to give up their cherished institution, yet the hardship of their case is not peculiar. This rebellion is placing heavy burdens upon all loyal men. At whatever cost, and at all hazards, it must be put down. This is the principle on which we must act. Accordingly, the State which I in part represent, has not only done her full share in the way of means to carry on the war, but has placed in the field one-twentieth part of her entire population. She will be ready to make still further sacrifices when they shall be demanded. Neither our property nor the lives of our people will be counted too precious for an offering. If loyal slaveholders are as patriotic as loyal non-slaveholders, they will be equally ready to make sacrifices. Education and habit have wedded them to the system of slavery, which, for three quarters of a century, has been preying upon the nation's life, and at last has ripened into the fruitage of civil war. They cannot demand of the millions of non-slaveholders, North and South, that this evil element shall be continued. As loyal men they cannot ask us to sacrifice the greater to the less, but in order to save the ship of State should agree that slavery shall be thrown into the sea.

I reply, finally, that if the war is to be conducted on the policy of fully accommodating the wishes of loyal slaveholders, that policy will be found impracticable, and therefore need not be attempted. Loyal slaveholders on this floor vote to give the rebels the benefit of the Fugitive Slave Act of 1850 in recapturing their slaves. They vote also that our loyal soldiers shall volunteer as the slavehounds of rebels in the same villainous employment. Loyal



slaveholders in both ends of this Capitol oppose the emancipation of the slaves of rebels, and publicly declare that such a measure would consolidate the people of the South as one man against the Union. They do not conceal the fact that they regard slavery as paramount to the Union. Sir, I shall most certainly refuse to go that length. On the contrary, the duty I learn from the position of these men is that of demolishing every vestige of slavery in the land. Since I cannot possibly accommodate them, and *must* give offense, I prefer to divide with them on principle, and extricate my conscience and self-respect entirely from the thralldom of a false position. I do not stop to inquire how many will agree with me, because I am not willing "to put duty to the vote;" and while I am ready to support any measure giving freedom only to the slaves of rebels, I must not fail to stand by my own convictions, while leaving the wisdom or the folly of my position to be tried by the ordeal of time.

I must not conclude, Mr. Chairman, without noticing a further objection to the policy for which I contend. I refer to the alleged danger of this policy, and the disposition of the slaves after they shall be free. This objection, like the one just considered, invites several answers.

First, if I am right in dealing with the rebellion as the child of slavery, and in arguing that the salvation of the Republic demands its overthrow, then my position is fully sustained. It will not do to talk about consequences, for no possible consequences of emancipation could be worse than destroying the government and subverting our free institutions. Do you ask me if I would "turn the slaves loose?" I reply, that this rebellion, threatening to desolate our land with the grandest assemblage of horrors ever witnessed on earth, is not the consequence of "turning the slaves loose," but of holding them in chains. Do you ask me what I would do with these liberated millions? I answer by asking what they will do with us, if we insist on keeping them in bondage? Do you tell me that if the slaves are set free they will rise against their former masters, and pillage and lay waste the South? I answer, that all that, should it happen, would be far less deplorable than a struggle like this, involving the existence of a free nation of thirty millions of people, and the hope of the civilized world. If, therefore, our policy is to be determined by the question of consequences, the argument is clearly on the side of universal freedom.

I reply, in the second place, that emancipation will be wise, safe, and profitable to both master and slave. In this assertion I am

sustained by all history and experience relating to the question. Most triumphantly can I refer to the case of the British West Indies. There, by an act of legislation, nearly a million of slaves within those narrow islands, and greatly outnumbering the white population, were in an instant made free. No act of violence followed. No white man suffered in person or estate, by reason of emancipation. In the island of Jamaica thirty insurrections occurred in the century which preceded emancipation, but not one has occurred since. If experience has established any fact, it is, that violence and crime on the part of the negro race are not the concomitants of freedom, but the offspring of slavery, and that the chief difficulty in the way of emancipation has always been the unfitness of the master. The history of emancipation in the French dominions, in South America, in the Danish West Indies, in Mexico, and in the West India colonies of the Dutch, will furnish concurrent testimony with that of the British West Indies as to the safety and profitableness of emancipation. It has been followed by general prosperity, and in the English and Danish West Indies, especially, the slaves have become landholders, schools have been established, exports have increased, happiness has been promoted, and progress has become a law.

I answer, next, that if the slaves of the South are set free they will not be pent up within the confines of a few small islands, like those subjected to the great British experiment referred to. They occupy a country stretching between two oceans, vast portions of which are yet a wilderness. There is not only abundant room for them, but abundant need of their labor. They are not unfamiliar with industrial pursuits, and if compensated for their labor, and acted upon by the renovating power of kindness, they will not only take care of themselves, but become a mighty element of wealth in the latitudes of our country peculiarly suited to their constitution. Their local attachments are remarkable, and but for slavery they would not be found either in Canada or the Northern States. But I would give them freedom, and then leave them to the law of their condition. Let them work out their own destiny, and let them have fair play in fighting the battle of life. Colonization is one of the great tidal forces of modern civilization, and the enslaved races can scarcely escape the appeal it will make to their approving judgment. Hayti, near our shores, stretches forth her hands to welcome them to happy homes among a kindred people, where they can enjoy the blessing of equal rights. Remove slavery, and I believe the negro race among us will naturally gravitate toward a

centre of its own, and separate itself from the race of its former oppressors. Our prejudices, borrowed from slavery, and still continuing to hold their sway, may aid this result ; but if from any cause whatever these people should seek their welfare in other lands, I would, while leaving them perfectly free in this respect, encourage them by all the reasonable means in our power.

Lastly, to the assumed danger and impracticability of emancipation, I reply in the words of Dr. Channing : —


“ It is an impious error to suppose that injustice is a necessity under the government of the Most High. It is disloyalty to principle, treachery to virtue, to suppose that a righteous, generous work, conceived in a sense of duty, and carried on with deliberate forethought, can issue in misery, in ruin. To this want of faith in rectitude, society owes its woes ; owes the licensed crimes and frauds of statesmen ; the licensed frauds of trade ; the continuance of slavery. Once let men put faith in rectitude — let them feel that justice is strength — that disinterestedness is a sun and a shield — that selfishness and crime are weak and miserable — and the face of the earth would be changed ; the groans of ages would cease.”

This, sir, is the impregnable ground on which I stand. God has not closed up the paths of justice and mercy among men. He has not permitted a remediless evil. As I reject atheism, so do I believe it safe to restore to our enslaved millions the title-deeds of their freedom ; safe to give them a fair day’s wages for a fair day’s work ; safe to recognize their rights of marriage and the sacredness of the family ; safe to allow them the untrammelled use of their powers of mind and body in the pursuit of their own highest good. And, I add, that the most deplorable sign of our times is the fact that the denial of all this is made the basis of our policy, and the test of our statesmanship. Very many of our public men practically disown the moral government of the world. Expediency is the law of their lives. They lack faith in the almightiness of truth and the profitableness of duty. With them diplomacy and crookedness seem to be innate qualities, and it sometimes unfortunately happens that men are found in high places of power and trust while scoffing at virtue and wallowing in corruption.

Sir, in this season of great national trial we can only hope for the smiles of our Maker, through the recognition of liberty, justice, and humanity, by those who wield the great and responsible powers of government.

“ God give us MEN ! A time like this demands  
Strong minds, great hearts, true faith, and ready hands ;  
Men whom the lust of office does not kill ;  
Men whom the spoils of office cannot buy ;

Men who possess opinion and a will;  
Men who have honor — men who *will not lie*;  
Men who can stand before a demagogue,  
And damn his treacherous flatteries without winking;  
Tall men, sun-crowned, who live above the fog  
In public duty, and in private thinking.  
For while the rabble, with their thumb-screw creeds,  
Mingle in selfish strife, lo ! freedom weeps,  
Wrong rules the land, and waiting justice sleeps.”





## CONFISCATION AND LIBERATION.

HOUSE OF REPRESENTATIVES, MAY 23, 1862.

[The bill, in support of which this speech was made, simply declared free the slaves of armed rebels and their abettors, and made proof of loyalty by the claimant of a fugitive necessary to his recovery. It now seems utterly incredible that only three days afterwards so obviously moderate a proposition was voted down in the House, then overwhelmingly Republican ; but the Emancipation Proclamation of the following year, and the radical policy inaugurated by Congress about the same time, fully made good the prophesies here uttered.]

MR. SPEAKER, — Before closing the debate on the measures of confiscation and liberation now before us, I desire to submit some general observations which I hope may not be regarded as irrelevant to these topics, or wholly unworthy of consideration. I do not propose to discuss these particular measures. I deem it wholly unnecessary. I believe everything has been said, on the one side and on the other, which can be said, and far more than was demanded by an honest search after the truth. Certainly I shall not argue, at any length, the power of Congress to confiscate the property of rebels. I take it for granted. I have not allowed myself, for a single moment, to regard the question as open to debate, nor do I believe it would ever have been seriously controverted, had it not been for the infectious influence of slavery in giving us false views of the Constitution of the United States. It was ordained “to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.” I take it for granted that our fathers meant to confer, and did confer upon us, by the terms of the Constitution, the power to execute these grand purposes, and made adequate provision for the exercise of that power. I feel entirely safe in indulging this reasonable intendment in their favor ; and I hand over to other gentlemen on this floor, and in the other end of the Capitol, the ungracious task of dealing with the Constitution as a cunningly devised scheme for permitting insurrections, conniving at civil war, and rendering treason to the government safer than loyalty.

Sir, I have little sympathy for any such friends of the Union, and I honor the Constitution too much, and regard the memory of its founders too sacredly, to permit myself thus to trifle with the work of their hands. The Constitution is not a shield for the protection of rebels against the government, but a sword for smiting them to the earth, and preserving the nation's life. Every man who has been blessed with a moderate share of common sense, and who really loves his country, will accept this as an obvious truth. Congress has power —

“To declare war; to grant letters of marque and reprisal; to make rules concerning captures on land and water; to raise and support armies; to provide and maintain a navy; to make rules for the government and regulation of the land and naval forces; to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions; and *to make all laws which shall be necessary and proper for carrying into effect the foregoing powers.*”

Here we find ample and express authority for any and every measure which Congress may see fit to employ, consistently with the law of nations and the usages of war, which fully recognize the power of confiscation. And yet for long weary months we have been arguing, doubting, hesitating, deprecating. As to what is called slave property, we have been most fastidiously careful not to harm it. We have seen a lion in our path at every step. We have seemed to play the part of graceless stipendiaries of slaveholding rebels, seeking by technical subterfuges and the ingenious arts of pensioned attorneys in desperate cases, to shield their precious interests from all possible mischief. So long have we been tugging in the harness of our Southern taskmasters, that even this horrid conspiracy of rebel slave-masters cannot wholly divorce us from the idea that slavery and the Constitution are one and inseparable. Sir, while I honor the present Congress for its great labors and the many good deeds it has performed, I must yet count it a shame and a reproach that we did not promptly enact an efficient Confiscation Bill in December last, which would have gone hand in hand with our conquering legions in the work of trampling down the power of this rebellion, and restoring our bleeding and distracted country to the blessings of peace. Many thousands of dear lives, and many millions of money would thus have been spared, for which a poor atonement, indeed, can be found in the learned constitutional arguments against confiscation, which have consumed so much of the time of the present session of Congress.

Mr. Speaker, this never ending gabble about the sacredness of the Constitution is becoming intolerable ; and it comes from exceedingly suspicious sources. We find that just in proportion as a man loves slavery, and desires to exalt it above all " principalities and powers," he becomes most devoutly in love with the Constitution, as *he* understands it. No class of men among us have so much to say about the Constitution as those who are known to sympathize with Jefferson Davis and the pirate crew at his heels. It will not be forgotten that the red-handed murderers and thieves who set this rebellion on foot went out of the Union yelping for the Constitution, which they had conspired to overthrow through the blackest perjury and treason that ever confronted the Almighty. I remember no men who were so zealously on the side of the Constitution or so studiously careful to save it from all detriment as Breckinridge and Burnett, while they remained nominally on the side of the Union. Every graceless miscreant who has wallowed in the filthy mire of slavery till he has survived his own conscience, every man who would be openly on the side of the rebels if he had the courage to take his stand, every opponent of a vigorous prosecution of the war by the use of all the powers of war, will be found fulminating his dastardly diatribes on the duty of standing by the Constitution. I notice, also — and I do not mean to be offensive — that the Democratic leaders who have recently issued a semi-rebel address from this city, are most painfully exercised lest the Constitution should suffer in the hands of the present administration.

Mr. Speaker, I prefer to muster in different company. I prefer to show my fealty to the Constitution by treating it as the charter of liberty, as the foe of rebellion, and as amply armed with the power to save its own life by crushing its foes. Sir, who are these men in whose behalf the Constitution is so persistently invoked ? They are rebels, who have defied its power, and who, by taking their stand outside of the Constitution, have driven us to meet them on their own chosen ground. By abdicating the Constitution, and conspiring against the government, they have assumed the character of public enemies, and have thus no rights but the rights of war, while in dealing with them we are bound by no laws but the laws of war. Those provisions of the Constitution which define the rights of persons in time of peace, and which must be observed in dealing with criminals, have no application whatever to a state of war, in which criminals acquire the character of enemies. The powers of war are not unconstitu-

tional, because they are recognized and provided for by the Constitution ; but their function and exercise are to be regulated by the law of nations governing a state of war, and not by the terms of the Constitution applicable to a state of peace. Hence I must regard much of this clamor about the violation of the Constitution on our part as the sickly higgling of pro-slavery fanatics, or the poorly disguised rebel sympathy of sniveling hypocrites. We must fight traitors where they have chosen to meet us. They have treated the Constitution as no longer in force, and we should give them all the consequences, in full, of their position. By setting the Constitution at naught, they have rested their case on the naked power of lawless might ; and, therefore, we will not give them due process of law, by trying, convicting, and hanging them according to the Constitution they have abjured, but we will give them, abundantly, due process of *war*, for which the Constitution makes wise and ample provision.

I have referred, Mr. Speaker, to the influence of slavery in giving us false views of the Constitution. It has also given us false ideas as to the character and purposes of the war. We are fighting, it is said, for "the Union as it was." Sir, I should be glad to know what we are to understand by this. If it means that these severed and belligerent States must again be united as one and inseparable, with secession forever laid low, the national supremacy vindicated, and the old flag waving over every State and every rood of the Republic, then I agree to the proposition. Every true Union man will say amen to it. But if, by the Union as it was, we are to understand the Union as we beheld it under the thieving Democracy of the last administration, with such men as Davis, Floyd, Mason, and their God-forsaken confederates, restored to their places in Congress, in the army, and in the Cabinet ; if it means that the reign of terror which prevailed in the Southern States for years prior to this rebellion shall be reëstablished, by which unoffending citizens of the free States can only enter "the sacred soil" of slavery at the peril of life ; if, by the Union as it was, be meant the Union with another James Buchanan as its king, and Chief Justice Taney as its anointed high-priest, steadily gravitating, by the weight of its own rottenness, into the frightful vortex of civil war ; then I am not for the Union as it was, but as I believe it will be, when this rebellion shall have worked out its providential lesson. I confess that I look rather to the future than the past, but if I must cast my eye backward, I shall select the early administrations of the government, when the



chains of the slave were crumbling from his limbs, and before the Constitution of 1789 had been mutilated by the servile Democracy of a later generation.

Mr. Speaker, this clamor for the Union as it was comes from men who believe in the divinity of slavery. It comes from those who would restore slavery in this District if they dared; who would put back the chains upon every slave made free by our army; who would completely reëstablish the slave power over the National Government as in the evil days of the past, which have culminated at last in the present bloody strife, and who are now exhorting us to "leave off agitating the negro question, and attend to the work of putting down the rebellion." Sir, the people of the loyal States understand this question. They know that slavery lies at the bottom of all our troubles. They know that but for that curse this horrid revolt against liberty and law would not have occurred. They know that all the unutterable agonies of our many battle-fields, all the terrible sorrows which rend so many thousands of loving hearts, all the ravages and desolation of this stupendous conflict, are to be charged to slavery. They know that its barbarism has moulded the leaders of this rebellion into the most atrocious scoundrels of the nineteenth century, or of any century or age of the world. They know that it gives arsenic to our soldiers, mocks at the agonies of wounded enemies, fires on defenseless women and children, plants torpedoes and infernal machines in its path, boils the dead bodies of our soldiers in caldrons, so that it may make drinking-cups of their skulls, spurs of their jaw-bones, and finger-joints as holiday presents for "the first families of Virginia" and the "descendants of the daughter of Pocahontas." They know that it has originated whole broods of crimes never enacted in all the ages of the past, and that, were it possible, Satan himself would now be ashamed of his achievements, and seek a change of occupation. They know that it hatches into life, under its infernal incubation, the very scum of all the villainies and abominations that ever defied God or cursed his footstool. And they know that it is just as impossible for them to pass through the fiery trials of this war without feeling that slavery is their grand antagonist, as it is for a man to hold his breath and live.

Sir, the loyal people of these States will not only think about slavery, and talk about it during the progress of this war, but they will seek earnestly to use the present opportunity to get rid of it forever. Nothing can possibly sanctify the trials and sufferings

through which we are called to pass but the permanent establishment of liberty and peace. If this is not a war of ideas, it is not a war to be defended. As a mere struggle for political power between opposing States, or a mere question of physical strength or courage, it becomes impious in the light of its horrid baptism of fire and blood. It would rank with the senseless and purposeless wars between the despotisms of the Old World, bringing with it nothing of good for freedom or the race. What I said on this floor in January last, I repeat here now, that the mere suppression of this rebellion will be an empty mockery of our sufferings and sacrifices, if slavery shall be spared to canker the heart of the nation anew, and repeat its diabolical deeds. Sir, the people of the United States, and the armies of the United States, are not the unreasoning machines of arbitrary power, but the intelligent champions of free institutions, voluntarily espousing the side of the Union upon principle. They know, as does the civilized world, that the rebels are fighting to diffuse and eternize slavery, and that that purpose must be met by a manly and conscientious resistance. They feel, that

“Thrice is he armed who hath his quarrel just,”

and that nothing can “ennoble fight” but a “noble cause.” Mr. Speaker, I can conceive of nothing more monstrously absurd, or more flagrantly recreant, than the idea of conducting this war against a slaveholders’ rebellion as if slavery had no existence. The madness of such a policy strikes me as next to infinite. Here are more than a million of men called into deadly strife by the struggle of this Black Power to diffuse itself over the Continent, and strike down the cause of free government everywhere, deluging these otherwise happy States with suffering and death without parallel in the history of the world; and yet so far has this power perverted the judgment and debauched the conscience of the country, that we are seriously exhorted to make still greater sacrifices, in order to placate its spirit and spare its life. I thank God that such a policy is simply impossible. The hearts of the people of the free States, and of the soldiers we have sent into the field, beat for liberty; and without their love of liberty, and the belief that it is now in deadly peril, the rebellion would have triumphed, just as the struggle of our fathers, in 1776, would have ended in failure, if it had been possible to make them ignore the great question of human rights which nerved their arms and fired their hearts.

My colleague [Mr. VOORHEES], in his speech the other day, was quite eloquent in his condemnation of the financial management of this war, and quite painstaking in his effort to show the magnitude of the debt it is creating. He would do well to remember that when Mr. Chase took charge of the treasury, the government could only borrow money by paying one per cent. per month, while United States six per cent. bonds are now at two per cent. premium over American gold. As to the immense burden which this war is heaping upon us, it has been chiefly caused by the mistaken policy of tenderness toward the rebels, and immunity for their pet institution; and this policy has been steadily and strenuously urged by my colleague and his Democratic associates. It has been far less the fault of the administration than of some of our commanding generals, and of conservative gentlemen in both Houses of Congress, who have sought by every means in their power to accommodate the war policy of the government to the equivocal loyalty of the border States. Many precious lives, and many millions of money were sacrificed, by the military policy which neither allowed the army of the Potomac to march against the enemy, nor go into winter quarters, during the dreary months which preceded the order of the President directing a combined movement on the 22d of February last. The policy of delay, which has also sought to spare slavery, was never accepted by the President of his own choice, but under the influence of those both in and out of the army in whom he reposed confidence at the time.

I rejoice now to find events all drifting in a different direction. I believe rebels and outlaws are to be dealt with according to their character. I trust slavery is not much longer to be spared. Congress has already sanctioned the policy of gradual abolition, as recommended by the President, who himself recognizes slavery as the grand obstacle to peace. We have abolished slavery in this District, and thus branded it with national reprobation. We have prohibited it in all national territory, now owned or hereafter to be acquired. We have enacted a new article of war, prohibiting our army from aiding in the recapture of fugitives, and I trust we shall promptly repeal the Fugitive Slave Law of 1850, or at least suspend its operation during the rebellion. We have given freedom to multitudes of slaves through our Confiscation Act of last July, and by receiving them into our camps and retaining them in our service. We have enacted the Homestead Bill, which at once recognizes the inalienable rights of the people and the dignity of labor,

and thus brands the slave power as no act of the nation ever did before. Since that power has ceased to dominate in Congress we are perfecting, and shall soon pass, a bill for the construction of a Pacific Railroad, and another for the abolition of polygamy in Utah. Our watchwords are now — Freedom, Progress.

Those patriotic gentlemen who have been anxious to hang "abolitionists," as equally guilty with the rebels, are changing their tune. We are reconsidering the folly of dealing with rebels as "misguided brethren," who must not be exasperated, and while we shall not imitate their barbarities, we are learning to apply to their case the Gospel of "an eye for an eye, and a tooth for a tooth." We are waging war in earnest; we are beginning to love freedom almost as dearly as the rebels love slavery; we are animated by a measure of that *resentment* which the rebellion demanded in the very beginning, and has constantly invoked during the progress of the war; and when these troubles are passed the people will honor most those who have sought to crush the rebellion by the quickest and most desperate blows, and who, in the language of Governor Andrew, of Massachusetts, have been willing to "recognize *all* men, even black men, as legally capable of that loyalty the blacks are waiting to manifest, and let them fight with God and nature on their side." The proclamation of General Fremont, giving freedom to the slaves of rebels in Missouri, has done more to make his name a household word than could all the military glory of the war; and I rejoice that, while the President saw fit to revoke the recent sweeping order of General Hunter, he took pains to couple that revocation with words of earnest warning which have neither meaning nor application if they do not recognize the authority of the Executive, in his military discretion, to give freedom to the slaves. That this authority will be executed, at no very distant moment, I believe most firmly. The language of the President obviously implies it, and foreshadows it among the thick-coming events of the future. Conservatives and cowards may recoil from it, and seek to postpone it; but to resist it, unless Congress shall assume it, will be to wrestle with destiny.

Mr. Speaker, I shall support the two measures of confiscation and liberation now before us, for the same reason which led me to support the Confiscation Bill of last July. They look in the right direction, and I am glad to see any advance step taken by Congress. But I shall retain, at any rate, my faith in the President, and in that logic of events which shows, amid all the seeming triumphs of slavery, that the anti-slavery idea has been steadily and



surely marching toward its triumph. The victories of slavery, in fact, have been its defeats. It triumphed in the Missouri Compromise of 1820; but that triumph, by begetting new exactions, kindled and diffused an unslumbering anti-slavery sentiment which kept pace with every usurpation of its foe. It triumphed in the annexation of Texas; but this, by paving the way for the Mexican War, more fully displayed its spirit of rapacity, and led to an organized political action against it which finally secured the control of the government. It triumphed in 1850, in the passage of the Fugitive Slave Act, the Texas Boundary Bill, the overthrow of the Wilmot Proviso, and the inauguration of the policy of popular sovereignty in our Territories, which afterwards brought forth such bloody fruits in Kansas. But these measures, instead of glutting the demands of slavery, only whetted its appetite, and brought upon it the roused and intensified hostility of the people. It triumphed in the repeal of the Missouri Restriction; but this was, perhaps, the most signal defeat in the whole history of its career of aggression and lawlessness, completely unmasking its real character and designs, and appealing to both conservatives and radicals to combine against it. It triumphed again in the Dred Scott decision and the election of James Buchanan as President; but this only enabled slave-breeding Democracy to grow to its full stature, and bud and blossom into that perfect luxuriance of diabolism through which the Republican party mounted to power. Slavery triumphed, finally, when it clutched the national treasury, sent our navy into distant seas, plundered our arsenals, fired on our flag, and sought to make sure its dominion by wholesale perjury, treason, rapine, and murder; but all this was only a grand challenge to the nation to meet it in mortal combat, giving us the right to choose any weapons recognized by the laws of civilized warfare. Baffled and overborne in all its previous encounters, slavery has now forced upon the nation the question of liberty or death; and I cannot doubt that the triumphs of freedom thus far will be crowned by final victory in this grand struggle. The cost of our victory, in treasure and blood, and the length of the struggle, will depend much upon the madness or the wisdom which may dictate our policy; but I am sure that our country is not so far given over to the care of devils as to allow slavery to come out of this contest with its life. To believe this, would be to take sides with "the fool," who "hath said in his heart there is no God."

The triumph of anti-slavery is sure. In the day of its weakness, it faced proscription, persecution, violence, and death, but it never deserted its flag. It was opposed by public opinion, by the

press, the religious organizations of the country, and by great political parties which it finally rent in twain and trampled under its feet. It is now the master of its own position, while its early heroes are taking their rank among "the noble of all ages." It has forced its way into the Presidential chair, and rules in the Cabinet. It dictates the legislation of Congress, and speaks in the courts of the Old World. It goes forth with our armies, and is every hour more and more imbuing the soldiers of the Republic with its spirit. Its course is onward, and while

"The politic statesman looks back with a sigh,  
There is doubt in his heart, there is fear in his eye;"

and even those slimy doughfaces and creeping things that still continue to hiss at "abolitionism," betray a tormenting apprehension that their day and generation are rapidly passing away. In the light of the past the future is made so plain that "he that runs may read." In the year 1850, when the slave power triumphed through the "final settlement" which was then attempted, I had the honor to hold a seat in this body; and I said, in a speech then delivered, that —

"The suppression of agitation in the non-slaveholding States will not and cannot follow the 'peace measures' recently adopted. The alleged death of the Wilmot Proviso will only prove the death of those who have sought to kill it, while its advocates will be multiplied in every portion of the North. The covenant for the admission of additional slave States will be repudiated, while a renewed and constantly increasing agitation will spring up in behalf of the doctrine of 'No more slave States.' The outrage of surrendering free soil to Texan slavery cannot fail to be followed by the same results, and just as naturally as fuel feeds the flame which consumes it. The passage of the Fugitive Slave Bill will open a fresh wound in the North, and it will continue to bleed just as long as the law stands unrepealed. The existence of slavery in the capital of the Republic, upheld by the laws of Congress, must, of itself, keep alive an agitation which will be swelled with the continuance of the evil. Sir, these questions are no longer within the control of politicians. Party discipline, Presidential nominations, and the spoils of office, cannot stifle the free utterance of the people respecting the great struggle now going on in this country between the free spirit of the North and a domineering oligarchy in the South. Here, sir, lies the great question, and it must be met. Neither acts of Congress nor the devices of partisans can postpone or evade it. It will have itself answered. I am aware that it involves the bread and butter of whole hosts of politicians; and I do not marvel at their attempts to escape it, to smother it, to hide it from the eyes of the people, and to dam up the moral tide which is forcing it upon them. Neither do I marvel at their firing of guns and bacchanalian libations over 'the dead body of the Wilmot.' Such labors and rejoicings are by no means unnatural, but they will be followed by disappointment. It is vain to expect to quiet agitation by continued concessions to an institution which is becoming every hour more and more a stigma upon the nation, and which, instead of seeking new conquests and new life,

should be preparing itself with grave-clothes for a decent exit from the world ; — concessions revolting to the humanity, the conscientious convictions, the religion, and the patriotism of the free States.”

Sir, I speak to-day in the spirit of these words, uttered nearly twelve years ago, and verified by time. A small band of men in Congress then braved public opinion, the ruling influences of the time, and every form of proscription and intimidation, in standing by the cause which was overwhelmingly voted down. But although outvoted, it was not conquered. “It is in vain,” says Carlyle, “to vote a false image true. Vote it, and revote it, by overwhelming majorities, by jubilant unanimities, the thing is *not so* ; it is *otherwise* thanso, and all Adam’s posterity, voting upon it till doomsday, cannot change it.”

The history of reform bears unfailing witness to this truth. The cause which bore the cross in 1850, wears the crown to-day. “No power can die that ever wrought for truth,” while the political graves of recreant statesmen are eloquent with warnings against their mistakes. Where are those Northern statesmen who betrayed liberty in 1820 ? They are already forgotten, or remembered only in their dishonor. Who now believes that any fresh laurels were won in 1850, by the great men who sought to gag the people of the free States and lay the slab of silence on those truths which to-day write themselves down, along with the guilt of slavery, in the flames of civil war ? Has any man in the whole history of American politics, however deeply rooted his reputation or God-like his gifts, been able to hold dalliance with slavery and live ? I believe the spirit of liberty is the spirit of God, and if the giants of a past generation were not strong enough to wrestle with it, can the pigmies of the present ? It has been beautifully said of Wilberforce, that he “ascended to the throne of God with a million of broken shackles in his hands, as the evidence of a life well spent.” History will take care of his memory ; and when our own bleeding country shall again put on the robes of peace, and freedom shall have leave to gather up her jewels, she will not search for them among the political fossils who are now seeking to spare the rebels by pettifogging their cause in the name of the Constitution, while the slave power is feeling for the nation’s throat. No ; God is not to be mocked. Justice is sure. The defenders of slavery and its despicable apologists will be nailed to the world’s pillory, and the holiest shrines in the temple of American liberty will be reserved for those who shall most faithfully do battle against this rebellion, as a gigantic conspiracy against the rights of human nature and the brotherhood of our race.

## THE REBELLION — THE MISTAKES OF THE PAST — THE DUTY OF THE PRESENT.

HOUSE OF REPRESENTATIVES, FEBRUARY 18, 1863.

[This general review of the political and military situation forms an interesting chapter in the history of the times covered by it, while its remorseless arraignment of "Democratic policy" was based upon facts supplied by the investigations of the Committee on the Conduct of the War, of which Mr. Julian was a member. This committee rendered the country a real and great service, and is understood to have been largely instrumental in superseding General McClellan, and in inaugurating the more vigorous policy of the war which followed.]

MR. SPEAKER, — The line of argument I propose to pursue during the hour which belongs to me is general in its character, and will not specially refer to the measure now pending before the House.<sup>1</sup> It will not, however, be found substantially irrelevant to the subject; and as I have already waited several weeks for the floor, and the widest latitude has thus far been allowed in this debate, I trust I shall be permitted to proceed without encountering any very strict construction of the rules of order provided for the government of this body.

In seeking to interpret the terrible conflict through which our country is passing, and to devise, if possible, a just and wise policy for the government in its future action, the mind naturally reverts to the past. There is a sense in which it is well to let by-gones be by-gones, but we can never afford to dispense with the lessons of experience. By an eternal law, as unvarying in politics as in morals, to-day is made the child of yesterday and the parent of to-morrow, — the past and the present linked together in the relation of cause and effect, and irrevocably woven into the future. It is true philosophy, therefore, to profit by our mistakes, to the extent of shunning their repetition, while causing the past to reappear where its deeds have been worthy.

The triumph of the Republican Party in 1860 was the triumph of freedom over slavery. I do not say that all who supported Abraham Lincoln were abolitionists, or even anti-slavery men, or that all who opposed him were the advocates of slavery. This

<sup>1</sup> The bill to indemnify the President by suspending the writ of *habeas corpus*.



would be very far from the exact truth. What I affirm is, that hostility to slavery was the animating sentiment of the men whose deeply-rooted convictions and unquenchable zeal made the formation of the Republican party a necessity, and nerved it with all its real strength ; while on the other hand, the espousal of slavery was the grand and darling purpose of those whose shaping hand and inspiring ambition gave life and law to the Democratic organization.

I go further still. The contest of 1860 was not simply a struggle between slavery and freedom, but a struggle of life and death. Slavery, as a system of unskilled labor, *demand*s the right of unrestricted extension over fresh soil, as a condition of its life. This is a law of its nature, attested by the Seminole and Florida wars, the seizure of Texas, the war with Mexico, the repeal of the Missouri Restriction, the raid into Kansas, and by its entire history in this country. Confine it by impassable boundaries, and it will turn upon and devour its own life. Slaveholders understand this perfectly, and I do not marvel that their hostility was not assuaged in the smallest degree by the Republican dogma of non-interference with it in the States. They knew that the exclusion of it from all federal territory would not only put the nation's brand upon it in the States which it scourges, and condemn it as a public enemy, but virtually sentence it to death. They believed, with our Republican fathers, that restriction means destruction. They knew that as the first dose of medicine given to a sick man forms a part of the whole process of cure, so the policy of limitation, as an incipient remedy for our great national malady, would be followed by other measures, moral, economical, and political, which would ultimately but surely expel it from the country. Hence they fought Republicanism with all the zeal and desperation which could be inspired by a great social and moneyed power, threatened with suffocation and death. They were simply obeying the law of self-preservation ; and I think it due to frankness to confess that the charge of "abolitionism," which they incessantly hurled at the Republican party, was by no means totally wanting in essential truth. When they were vanquished in the election of Mr. Lincoln, their appeal from the ballot to the bullet was the logical sequence of their insane devotion to slavery, and their conviction that nothing could save it but the ruin of the Republic.

Such was the issue decided by the people in the last Presidential canvass. It was the long-postponed battle between slavery and anti-slavery, fairly encountering each other at the ballot-box. It was a struggle between two intensely hostile ideas, wrestling for

the final mastery of the Republic. Freedom, through the Republican party as its instrument, triumphed over slavery, with both wings of the Democratic party as its servants and tools; for the distinction between Breckinridge Democracy and Douglas Democracy was purely metaphysical, and eluded, entirely, the plain common sense of honest men.

Now, sir, I hold that the people of the United States, who earned and fairly achieved this great victory, had a vested right to its fruits. They had a right to expect that the domination of slavery over the National Government would cease. They had a right to demand that all its departments should be committed to the hands of those who believed in the grand Idea on which the administration ascended to power. And the intervention of the rebellion in no degree whatever released the government from its duty in this respect. The rebellion did not refute, but confirmed, the truth of Republicanism. It was simply a final chapter in the history of the Slave Power, an advanced stage of slaveholding rapacity, naturally born of Democratic misrule; and instead of tempting us to cower before it and surrender our principles, it furnished an overwhelming argument in favor of standing by them to the death.

I do not say that no man who had been identified with the Democratic party should have been appointed to office, but that no man who regarded with indifference the great principle which had triumphed in the canvass; no man, certainly, who was known to be hostile to that principle, should have been allowed to hold any federal office, high or low, civil or military, at home or abroad. This was the duty of the administration, for the simple reason that it could not decline it with fidelity to the people who had installed it in power. The Republican principle was as true after the election as during the canvass; as true in the midst of war as in seasons of peace; and just so far as we have lost sight of this truth, just so far have we strayed from the path of safety. Indeed, instead of putting our principles in abeyance when the storm of war came, we should have clung to them with a redoubled energy and a dedicated zeal. Instead of making terms with our vanquished opponents by conferring upon them office and power, we should have taught them that these were necessarily forfeited in our triumph. And we should have remembered that even our enemies would brand us as hypocrites and cowards, if the administration should be less distinctively Republican in principle and policy than had been the party which created it.

Very nearly allied to the policy of conciliating our opponents

and thus building up their power, was the project of a Union party, encouraged by Republican politicians simultaneously with the beginning of this administration. Such a movement, started soon after a heated political canvass involving the issue of slavery and anti-slavery, was utterly preposterous. The war grew out of the very question which had organized our parties and marshaled them against each other in time of peace; and hence, instead of melting and fusing them into one, their lines of division would be brought out all the more palpably, and their antagonisms all the more intensified. It was incredible that pro-slavery Democracy, after having been so thoroughly drugged and surfeited with the heresies of Southern rebels, should, in the twinkling of an eye, enter into cordial union with the men it had so long traduced. What is now palpable to all men, I thought obvious in the beginning: that a union of Republicans and Democrats, on the single question of putting down the rebellion, ignoring the real issue out of which it sprang, was simply a shallow expedient for dividing the spoils of office, at the cost of a practical surrender of the principles for which Republicans had so zealously contended. I do not say that the disruption of the Democratic party was by any means impossible. There was a vigorous loyal element pervading its rank and file which its unprincipled leadership would have been powerless to control, if Republicans had stood firm. If we had been perfectly true to our own principles, bating no jot of zeal in their maintenance, and frowning upon any movement which sought to soften down or shade off the right-angled character of our anti-slavery policy; if we had bravely accepted the consequences of that policy, branding the rebellion as the child of slavery, and the Democratic party as the great nursing mother that had fed and pampered it into this bloody revolt against the Constitution; if, when the truth of our doctrines and the guilt of our opponents were written down in the fires of civil war, we had called upon all men to join hands with us in saving the country, the Democratic party would have heard its death-knell in the guns of Fort Sumter, and instead of borrowing new life from the cowardice and decline of Republicanism, would have crawled to its guilty and dishonored grave. Only by persistent fidelity to our own principles could we hope either to break down the power of our foes or maintain a real Union movement. This we already had in the Republican party. If there is anywhere a Republican who is not a Union man I would be glad to know where he may be found. This accursed war is upon us to-day because the policy of the government, under the rule of



slave-breeding Democracy, has so long been drifting from the principles of our Republican fathers, as reaffirmed in the Philadelphia and Chicago platforms. The rebellion is a fulfilled prophecy of Thomas Jefferson, and of all the leading anti-slavery men of a later generation ; and nothing, certainly, should have been further from our purpose than to rush with indecent haste into the embrace of unrepentant Democrats, when the very life of the nation had been brought into deadly peril by their systematic recreancy to the principles of real Democracy.

Sir, Democratic policy not only gave birth to the rebellion, but Democrats, and only Democrats, are in arms against their country. Democrats fired on its flag at Fort Sumter. Jefferson Davis is a Democrat, and so is every God-forsaken rebel at his heels. A Democratic administration was in power when the rebellion first lifted its head. A Democratic President, who could have nipped it in the bud, allowed our navy to be sent to distant seas, our fortresses to be occupied, our arsenals and navy-yards to be seized, and our arms and munitions to be stolen. Democrats clutched the treasury of the government and robbed it of its Indian bonds. The distinguished thieves and cut-throats who are known as the leaders of the rebellion, such as Floyd, Thompson, Yancey, and Cobb, are all Democrats. Not only is it true that rebels are Democrats, but so are rebel sympathizers, whether in the North or the South. On the other hand, the Republican party, so far as I can learn, has not furnished a single recruit to the ranks of the rebellion. Loyalty and Republicanism go hand in hand throughout the Union, as perfectly as treason and slavery.

In the light of these pregnant facts, Mr. Chairman, we find no occasion for a new party. What we should work and pray for is the success of our principles, and this can only be secured by steadfastness of purpose and associated political action. We need something of permanence in our movements, shunning that fickleness and instability that would form a new party, with a new name, for every campaign, and thus fritter away our strength in the fickleness of our schemes, instead of husbanding it for effective service. Republicanism is not like a garment, to be put on or laid aside for our own convenience, but an enduring principle, which can never be abandoned without faithlessness to the country. It is not a succession of "dissolving views," brought on to the political stage to amuse conservative gentlemen, or to dazzle and bewilder the people, but the fixed star which should guide us through the shifting phases of American politics and the bloody labyrinths of war. Sir,



not even to save the Union, or to restore the blessings of peace, should we forsake its light. It is because we loved our principles more than peace that we are now in the midst of war. We demanded a Union under conditions that would make it the servant of liberty, and not the handmaid of slavery, and the rebellion is the result. Let us accept it; and when we are charged with producing it, let us reply that the charge, if true at all, is true in a sense which makes infamous the men who prefer it. In the sense in which the opponents of paganism caused martyrdoms in the early days of the Church; in the sense in which the enemies of the papal power in the time of Luther caused persecutions and death; in the sense in which Thomas Jefferson and the fathers caused the war of our Revolution, we, who are called Republicans, caused the rebellion, of which pro-slavery Democracy is preëminently guilty. If we had allowed slavery to take root in the soil of Kansas, without resistance or protest; if we had permitted it, through the help of the Supreme Court, to fasten its fangs upon all our Territories, so that neither Congress, nor the people, nor any human power could remove it; if we had allowed it to go freely into the non-slaveholding States, and set up its habitation in defiance of State enactments; if we had consented to the revival of the African slave-trade, and that our lips should be sealed against the right to talk about it, except to talk in its favor; if, in a word, the people of the free States had been willing to trample under their feet the institutions of their fathers, and to dedicate this Continent to slaveholding and slave-breeding forever, then we might have had peace to-day, and an unbroken Union. But our Democratic peace would have been the peace of the Pit, "stifling, suffocating, sultry," — a peace infinitely more dreadful than the war we have chosen to accept in the maintenance of our principles; and our Union would have been a confederacy of corsairs, devouring humanity, defying God, exalting the devil, and gladdening the heart of every absolutist and tyrant throughout the earth. Sir, I rejoice greatly that Republicans had the courage to throw themselves between their country and the eternal damnation to which Democratic policy was about to consign it; and that now, standing face to face with the dread realities of war, they are still resolved to stand together by the flag-staff of freedom. No step backward is possible, nor was there any hope for the Republic so long as the government and its advisers failed to realize this fact.

Mr. Chairman, I have indicated, in general terms, the mistakes of Republican policy since the beginning of the war. Many of our

trusted leaders have lost their way, while the administration itself has not been thoroughly Republican in its policy. Forgetting the mere negations of our creed, it should have planted itself bravely on its affirmations, pausing not a moment to apologize, or deprecate, or explain. The crisis called for absolute courage, and the time had gone by forever for any policy savoring, in the smallest degree, of timidity or hesitation. The disasters of this war, and the perils which now threaten the country, find their best explanation in the failure of the government to stand by its friends, and its readiness to strengthen the hands of its foes. To a fearful extent Democratic ideas and Democratic policy have ruled this Republican administration from the beginning. Democratic policy, very soon after the war began, speaking through our Republican Secretary of State, declared that "the Federal Government could not reduce the seceding States to obedience by conquest," and that "only an imperial or despotic government could subjugate thoroughly disaffected and insurrectionary members of the State;" persuaded the nations of the earth that our struggle was not an "irrepressible conflict" between two forms of society, each of which was aiming at absolute dominion over the country, but a mere domestic tumult which would subside in "sixty days;" and that the institution of slavery, which the whole world now confesses to have been the cause of the war, would not be affected by it, but "remain subject to exactly the same laws and forms of administration, whether the revolution shall succeed or whether it shall fail." Democratic policy, pouring its cowardly counsels into the ear of the Commander-in-chief of our armies, tempted him to write a letter to Secretary Seward, on the day before Mr. Lincoln's inauguration, in which he scouted the idea of subduing the rebel States by military power, favored the organization of a Union party and the abandonment of Republicanism, and recommended a pacification on the godless basis of the Crittenden Resolves of January, 1861; or that we should say to our "wayward sisters, go in peace." Democratic policy made General McClellan Commander-in-chief, by falsely claiming for him the victories of our armies in Western Virginia, achieved by Rosecranz, Morris, and Benham, and by the indorsement of General Scott, who, as the country has since learned, did not believe in the war which the government had inaugurated. Democratic policy, through General Patterson as its representative, detained a large army in the valley of Winchester which should have marched against General Johnston and his inferior force, instead of allowing him to join Beauregard at Bull Run,

thus securing the defeat and rout of our army, instead of a decisive victory, which else would have crowned our arms. Democratic policy, through the authority of General McClellan, kept the Potomac blockaded during the fall and winter of 1861 and 1862; and when the Navy Department insisted, as it did repeatedly, on putting an end to the blockade, which it could have done at any moment, our Democratic General objected, that "it would bring on a general engagement;" and thus was the honor of the nation compromised, and millions sacrificed through its interrupted commerce, without cause or excuse. Democratic policy, personified by General McClellan and General Stone, sent Colonel Baker and his gallant men across the Potomac against a superior force, with one scow and two small boats as the only means of transportation; and after the crossing had commenced, twenty-four thousand men under General Smith and General McCall, who were within striking distance, and expected by Colonel Baker to join him, were ordered to retreat by General McClellan; while fifteen hundred of our men at Edwards' Ferry, only three and a half miles from the battle-field, who could have reinforced Colonel Baker and turned the fortunes of the day, were compelled to stand idle while the gallant hero and his men were butchered without mercy. During the autumn and winter months which followed, Democratic policy made the grand army of the Potomac squat before the wooden guns of Centreville and Manassas; and although our forces were many times larger than those of the rebels, and our men in fine health and discipline, and eager to fight, while during these successive months we were favored with solid roads and clear frosty days and nights, yet neither the persuasions of the President nor the clamors of the people could induce General McClellan to move; nor did any member of the Cabinet, nor the President himself, nor any general in his army, know his plans, or why our forces did not advance. Democratic policy, refusing to allow our armies to go into winter quarters or to march upon the enemy, kept them strictly on the defensive throughout the Union, till the President, in the latter part of January of last year, gave the order *forward*, resulting in the victories of Fort Henry, Fort Donelson, and Newbern, which so electrified the country. The army of the Potomac was required to march on the 22d of February, but Democratic policy held it inactive till the 10th of March, when General McClellan, in obedience to a peremptory order of the President, took up the line of march toward Centreville, after having first learned that the rebels had retired toward the Rappahannock. This pin



and beau-ideal of Democratic policy, instead of pushing at once toward Richmond, which he could have done by railroad by way of Aquia Creek and Fredericksburg, or by the Manassas and Gordonsville road, marched his army back to Alexandria, where hundreds perished or received the cause of their death, in the open fields and woods in sight of their tents, during the cold, drenching rains to which they were exposed for many days prior to their embarkation for Fortress Monroe. Democratic policy, still ruling the country through General McClellan, planned the ill-fated campaign on the Peninsula; and although he had insisted, while himself near the capital, that the whole army of the Potomac was necessary for its defense, yet on leaving, under positive orders that this city should be amply defended, he seems to have considered fifteen thousand raw and undisciplined troops, the refuse of the army, sufficient for its protection, — all of the army in and around Washington except this meagre force, having been ordered by him to proceed at once to the Peninsula. Democratic policy compelled the army of the Potomac to sit down before Yorktown till a small army had grown to be a large one, and then permitted it to evacuate at its leisure. General Hooker, with his advance force, followed; but Democratic policy, refusing to allow him to be reinforced, held thirty thousand men within sound of the battle, by which our forces were repulsed and the escape of the enemy secured. When our army at length reached the Chickahominy, Democratic policy founded the kingdom of pickaxes and spades, and sent thousands of our soldiers to their graves because the employment of able-bodied negroes in ditching would be offensive to Democratic gentility, and might endanger “the Union as it was.” When General McClellan, by order of General Halleck, left the James River, and reached Alexandria in time to save General Pope at the second battle of Bull Run, Democratic policy, forgetting the country, allowed him to be sacrificed. Democratic policy, sifting its deadly poison into the mind of the President, again placed General McClellan in command of the army of the Potomac, and reinstated, at his request, the generals whose failures had caused Pope’s defeat; and the “strategy” which followed left the way open for the withdrawal of General Lee, and delayed the march of our forces till Harper’s Ferry had fallen into the hands of the enemy. Democratic policy, at the battle of Antietam, kept at least forty thousand of our men in reserve, and thus converted a magnificent victory, most temptingly brought within our grasp, into at best a drawn battle. Democratic policy, which cost us more than fifty



thousand soldiers on the Peninsula, systematically misled the public by compelling the newspaper correspondents within our lines to suppress facts and utter falsehoods, in order to glorify General McClellan, shield him from popular disapprobation, and perpetuate his command. Democratic policy at this moment clamors for his restoration, and every man who blames the Republicans for bringing on this war, and who declares, as General McClellan did at its beginning, that the South is right; every man who believes in wearing out the patience of the country by military failures, so that the rebels may be restored to power through some infernal compromise; every man who despises the policy which would win victories, or follow them up when won; every man who was as much of a traitor as he had the courage to be in the beginning of this struggle, and has all the time wished the rebels a hearty God-speed; every man who has done his best to discourage enlistments, embarrass the action of the government, and render the war odious to the people; every man who raises the cry of peace, and talks about new guarantees to pacify the felons who have sought the nation's life; every man who loves negro slavery better than he loves his country, and would sooner see the Republic in ruins than the slaves set free, is the zealous advocate and unflinching champion of General McClellan.

Mr. Chairman, Democratic policy proves itself the ally of treason by hugging the cause which produces it. It clings to slavery as a dying man clings to life. It condemns its prohibition in our Territories, and its abolition in this District. In the midst of a terrific struggle of the nation for self-preservation, requiring the use of all the weapons known to the laws of war, it demands the repeal of our confiscation laws, and denounces the President's proclamation giving freedom to the slaves of rebels. With equal zeal it opposes the gradual "abolishment of slavery," with the consent of loyal masters, and compensation allowed them. Democratic policy clamors for peace with rebels in arms, on the basis of the Crittenden Compromise, rejected by them two years ago, and which, if accepted, would completely surrender the liberties of the people to the slaveholding vandals of the South. Democratic policy has played into the hands of rebels by refusing the help of negroes in our armies, as laborers, teamsters, cooks, nurses, scouts, and soldiers, thus necessarily weakening our military power, and sacrificing the lives of our men. Democratic policy has sought the office of slave-hound for rebels ever since the beginning of the war, and is still, occasionally, exercising its functions in defiance of positive prohibitions. Democratic policy, taking the form of "Order

No. 3," under which, for more than a year, loyal colored men were driven from our camps, and their proffered aid and information rejected, earned the gratitude of every rebel throughout the Union, and the curses of every loyal man. Democratic policy despises an abolitionist far more heartily than a traitor; the term "abolitionist," according to a leading Democratic organ, signifying "any man who does not love slavery for its own sake, as a divine institution; who does not worship it as the corner-stone of civil liberty; who does not adore it as the only possible social condition on which a permanent Republican government can be erected; and who does not, in his inmost soul, desire to see it extended and perpetuated over the whole earth, as a means of human reformation, second in dignity, importance, and sacredness, to the religion of Christ." Democratic policy, by thus perpetually deferring to slavery as a sacred thing, and to slaveholders as a superior order of men, has smothered that feeling of resentment in our armies which else would have been evoked, and the lack of which, according to our commanders, is one of the serious obstacles to our success. Democratic policy, in the year 1861, gave us as commanders of our three great military departments, McClellan, Halleck, and Buell, whose military administrations have so terribly cursed the country; while it imposed upon our volunteer forces in the field such officers as Fitz-John Porter, General Nelson, General Stone, and very many more whose sympathies with the rebels were well known throughout the country.

MR. WADSWORTH: I desire to make an inquiry of the gentleman. I thought I understood him to say that General Nelson's sympathies with the rebels was well known. I wish to know if he alludes to General William Nelson, deceased.

MR. JULIAN: I allude to that gentleman.

MR. WADSWORTH: I was born and reared with him, served with him in intimate relations against the rebels, and knew him from his youth up to the time of his death; and I say that there was not a more determined opponent of the rebels and of secession in America. The language of the gentleman is untrue. The stain attempted to be cast upon the memory of General Nelson is undeserved and unfounded. Such language as that is outrageous. I have heard the speech, entirely out of order upon this bill, with patience, but I cannot allow the memory of William Nelson to be slandered in this way.

MR. JULIAN: In reply to the remarks of the gentleman from Kentucky (Mr. Wadsworth), I have only to say that what I said

is true. I did not say that General Nelson was a rebel. I said he was well understood to be in sympathy with the rebels, and this understanding, so far as I have any means of knowledge, is universal among the soldiers of Indiana and Ohio who have served under him in the field in Kentucky and elsewhere. While I do not say that he was a rebel, I say that, like some other distinguished gentlemen from Kentucky, he was a rebel sympathizer, loving slavery more than he loved his country. That I desire to say in the most emphatic words I know how to employ.

The gentleman from Kentucky did not charge me with an intentional misrepresentation, as I understood him. If he makes that charge I shall deal with it. I understand we simply differ as to a matter of fact.

MR. WADSWORTH: I did not intend to charge the gentleman with any intentional misrepresentation touching the sentiments of General Nelson, unless he makes himself responsible for it. I did not know but that he was making a statement, in which he confided, derived from others. My purpose was to denounce the statement which the gentleman brings in here. I do not care who makes the statement, he is a slanderer of the gallant dead.

MR. JULIAN: I decline to yield to the gentleman further. The gentleman denounces my assertion —

MR. WADSWORTH: I denounce it as a slander.

MR. JULIAN: And I denounce the gentleman's denunciation, and his defense of a rebel sympathizer.

Mr. Speaker, Democratic policy, speaking through officers high in command in the army of the Potomac, now more than a year ago, threatened to march upon the capital and disperse Congress as Cromwell did the Parliament, because a joint committee of both Houses of Congress was inquiring into the conduct of the war. Democratic policy, when General Fremont proclaimed freedom to the slaves of rebels in Missouri, inundated the Executive Mansion with falsehoods which had their coining in pro-slavery malice and disappointed ambition; and a Republican President, yielding to a torrent which he thought resistless, removed him from his command; and although the policy of this proclamation has since been accepted by the government, and the charges on which he was hounded down are known to be false, yet Democratic policy still deprives the country of his service, because he is a Republican, and an unbeliever in the supreme divinity of slavery. Democratic policy holds in its hands all the great machinery of this war, and directs it according to its own will. Our present Commander-in-



chief is a Democrat, whose future management of the war, if we are to judge from his past career, promises nothing for the country. Of the major and brigadier-generals in our armies Democratic policy has favored this Republican administration, if I am not mistaken, with over four-fifths, — certainly an overwhelming majority ; while those great hives of military patronage, the Adjutant-general's Department, the Quartermaster's Department, the Commissary Department, the Ordnance Department, and the Pay Department, are all under Democratic control, and have been during the war. Several of the heads of these departments held their positions under James Buchanan ; while Democratic policy likewise controls the chief bureaus in the Navy Department. Democratic policy has not only studiously thrown into the background Republican generals, whose hearts are in the war, and put in the lead political generals of its own type, but has pursued the same policy toward Democratic generals who have evinced a change of views on the question of slavery. Mitchell and Hunter are cases in point, while Curtis is almost the only Republican general who has been allowed to hold an independent command in a war in which, according to the best attainable data, more than three fourths of the soldiers of the Union are Republicans. To an alarming extent Democratic policy has ruled in the Post Office, War, Treasury, and Interior Departments, in which, after very many long delayed but greatly needed removals, effected chiefly through Congressional intervention, there are still hundreds of Democratic clerks, of whom many are known to be rebels in heart, and some of them the appointees and pets of Davis, Floyd, and Thompson. What is equally remarkable is the fact that the higher and more lucrative grades of these positions are nearly all given to Democrats ; while Democratic policy, adhering to its ancient custom, under this Republican administration, bestows upon the District of Columbia, and such States as Maryland and Virginia, a share of these places in monstrous disproportion to that of the free States of the North and West. I cannot go further into details ; but the fruits of this Democratic policy are seen in great military disasters ; in the wasted energies and fading hopes of the people ; in reactionary movements in the free States ; in threatened intervention from abroad, and in impending national ruin ; and without a speedy change in our policy, no power but that of God, through miraculous intervention, can save our country.

Mr. Chairman, the time has come when every true man in the Union should demand, in the name of the country, that Dem-



ocratic policy shall rule it no longer. When the nation is gasping for breath because the honored leaders of Republicanism have been infidel to its principles, plainness of speech is a duty, and silence a crime. As a freeman, and the Representative of freemen, it is at once my right and my duty to utter what I believe to be vital truth. I deeply regret the necessity which compels me to criticise the policy of the administration. I honor the President as the chief magistrate of the Republic, and love him as a man. I have received at his hands nothing but personal kindness and political respect. I stand ready to make any earthly sacrifice to sustain him in this direful conflict with the rebel power of the country, North and South. "Faithful are the reproofs of a friend," and it is *as* his friend, seeking to rescue the land from political perdition, and not as a disguised rebel, seeking to undermine his administration, that I speak. I tell him that his policy of conciliating Democrats has been as ruinous to our cause as the kindred policy of conciliating rebels. Instead of winning them to our side, blotting out the lines of party, and inaugurating an "era of good feeling," it has breathed fresh life and vigor into the Democratic organization, which now everywhere confronts us as a powerful and consolidated opposition, while our own party is disbanded and powerless. Sir, had the policy of the government been boldly Republican, making good to the people their victory over the cohorts of slavery in 1860, every Northern State would to-day have been wheeled into line on the side of the administration, and the Democratic party would have been lingering on its death-bed. The war itself, I firmly believe, would have been ended, and with far less sacrifice of treasure and blood than we have already incurred. I speak respectfully, but earnestly, when I say the President must stand by his friends, if he expects his friends to stand by him. He must point the door to every pampered pro-slavery rat in any of his public cribs, and bestow the offices and honors at his disposal upon those who believe in the Republican Idea. He should institute, as speedily as possible, a general casting out of devils from the various departments of the government, and fill their places with men who believe in God, and who have not outlived their consciences in serving as the shameless scullions of the Slave Power. By all means, and at the earliest moment, should he insist upon a lustration of the Military Department, to purify it from the deadly contamination of treason. This is a slaveholders' rebellion. The rebellion, in fact, is "slavery in arms," and therefore no man who believes in slavery is fit for any high command. The war is not a

war of sections, but of ideas ; and we need and must have military leaders who will conduct it in the light of this truth. To the want of such leaders must be attributed the delays and disasters of the struggle thus far. General Sigel says : —

“It is an enormous crime to expose our devoted soldiers to the fury of a united, determined, and vigorous enemy, on account of any hesitancy to use the right means at the right time, or *by placing men in high and responsible positions* who, on account of their former associations and pledges, can never be trusted as sincere friends of the Republic, nor expected to strike a fatal blow at treason and rebellion.”

Sir, we must have commanders who will fight, not simply as the stipendiaries of the government, but as men whose whole hearts are in the work, and who believe, religiously, in the Rights of Man.

“It is the heart, and not the brain,  
That to the highest doth attain.”

I believe you may search the history of the world in vain for such armies as we now have in the field. Their heroism upon every battle-field, often under incompetent commanders, and always under the most appalling disadvantages, must be the theme of everlasting praise. They have seemed to understand this quarrel from the beginning. They have fought as only men could fight who counted their lives as nothing in comparison with the life of the Republic, and the imperiled cause of liberty on earth. The battle of Fredericksburg, where thousands marched into the jaws of certain death without the wavering of a hair, affords but a single example of the spirit which has so ungrudgingly offered up so many heroic lives during the war. Sir, I honor our patriot soldiers as I honor no men, titled or untitled, who walk the earth. Their example, looming above the general profligacy and faithlessness of mere politicians, has already made humanity sublime, and anchored the final triumph of our cause to the very throne of the Eternal. In their name do I speak when I plead that they shall be allowed to fight our battles under competent and worthy leaders, whose souls are on fire with a quenchless zeal for our cause. In our war with Mexico, as I am advised, no man was allowed to hold the office of major-general of volunteers or brigadier-general, who was not a member of the Democratic party. I believe this policy was extensively carried out also as to the subordinate places in our army, at least nine-tenths of which were conferred upon the party in power. General Scott and General Taylor were Whigs, but they held their positions before the war, and during its

progress had to encounter a fierce and formidable opposition from the administration and its friends. I am not finding fault with this policy, which I refer to as simply showing that the government, at that time, dispensed its favors among its friends, and intrusted the command of our armies to men who *believed in the war*. This the government should do to-day. This is a war of freedom and free labor against a mighty aristocracy based upon the ownership of men. Our aim is the overthrow of that power, and the reorganization of Southern society on a republican basis; and it should require no argument to prove that men who believe in this aristocracy are not the most fit commanders in such a contest. On this subject history is not wanting in lessons to guide us. As early as the year 1388 the cities of Germany, which had formed four leagues in self-defense against the aristocracy that lived only by its plunder of commerce, were engaged in deadly conflict for their rights. They made two mistakes, which paved the way for their ruin. They lost the sympathy of the peasantry, because they fought only for the privileges of the cities; and they appointed nobles to command their armies who cared more for their property in the cities than for the rights of the people. These nobles counseled "moderation," and one of them proved a traitor on the field of battle. Afterwards, city after city fell into the hands of the aristocracy, and the people became the prey of a swarm of petty monarchs, who annihilated the external power of the country, which groans under their oppression to this day. The same principle was illustrated in our Revolutionary War by the State of South Carolina, which swarmed with Royalists and Tories, who, like the rebels now in arms against us, loved slavery more than they loved their country. It is not possible to put down one privileged class through the leadership of another, unless their interests are antagonistical.

Mr. Chairman, the fatal consequence of losing sight of the principle I am now urging has been seen in the recall of General Fremont from his command of the Western Department. In the year 1856, his name had been conspicuously identified with the great political conflict which finally culminated in a conflict of arms. He was known to the country less as a politician than as a patriot, and a man of genius and dauntless courage; and there was a romance about his life and name which kindled the popular enthusiasm in his behalf to a very remarkable degree. He entered upon his command at the end of July with less than twenty-five thousand effective men, poorly armed and equipped; and of these, ten thousand

were three-months' men, whose time expired in ten days from his arrival. At the end of October he held sixty thousand square miles of the enemy's country, and had succeeded in organizing and equipping an army which was everywhere successful along the whole extent of his lines. He had restored quiet and comparative peace to the State of Missouri, while the enemy was in full retreat before him. Believing the revolutionary measures of the rebels could only be put down by revolutionary energy, and that all moderation in dealing with them was the expedient of weak men or of traitors, he impressed his strong will and earnest purpose upon every feature of his administration. He saw then, what the President has finally discovered and told us in his late message, that "the dogmas of the quiet past are inadequate to the stormy present;" that "as our case is new, so we must think anew and act anew;" and that "we must disenthral ourselves, and then we shall save our country." I believe no commander in the public service has thus far shown more military genius, or been more successful, considering the circumstances of his command; and it should be remembered to his credit that the victories of our arms in the West, early in last year, were achieved upon the exact lines of march which he planned and published in September of the preceding year. When he issued his proclamation of freedom the military enthusiasm of the people was unchilled. With gladness and thanksgiving they received it as a new sign of promise. Even such Democratic papers as the "Boston Post," "Detroit Free Press," "Chicago Times," and "New York Herald," approved of it, while it stirred and united the people of the loyal States during the ten days of life allotted it by the government, far more than any other event of this war. The President, in an evil hour, annulled it; and the boiled-down malice and meanness which it provoked, and which were poured out so copiously through Adjutant-general Thomas, finally effected the intended change in the command of this department. From this conduct of the government toward General Fremont dates the pro-slavery reaction which we now witness. Beginning then, it has gained force and volume every hour since. It balked the popular enthusiasm, which else would have drawn along with it even multitudes of conservative men. It caused timid and halting spirits to become cowards outright. It gave new life to the Slave Power, and encouraged fiercer assaults upon "abolitionism." The Democratic party, which the war had pretty effectually driven into retirement, began to assume its former prerogatives, and manifest its sympathy for treason. Sir, I



can never think of the woes and sorrows with which this war has deluged our country within the past twelve months, without deploing the malign influences which led the administration to strike down a Republican Major-general in the midst of a glorious career, and in defiance of the sentiment of the people, while Democratic generals who were lauded by every rebel sympathizer throughout the country, and whose incapacity or disloyalty could not have been unknown to the government, have been persistently kept at the head of our great military departments.

Mr. Chairman, while the past is beyond our control, its lesson for the future should not go unheeded. The government cannot "escape history;" but it can atone, in some degree, for the great wrong it has done the country and General Fremont, by restoring him without further delay to active service, with a command befitting his rank and merits. Every consideration of justice and patriotism pleads for this. He has been the victim of the most cruel injustice and the most unmerited and mortifying humiliation. The President knows this. The military conduct of General Fremont will bear the most rigid scrutiny, while his character is without a stain. The policy of his proclamation has been vindicated by time, and more than vindicated by the administration itself. Let this policy be committed to the hands of its undoubted friends. The restoration of General Fremont would at once signalize the earnestness and sense of justice of the President, and win back to him the confidence of the people. It would be a conspicuous milestone in the progress of the government, and most fitly follow the grand message which proclaimed freedom to millions on the first day of the new year. In the name of the country let it be done; and let restitution be made to every other officer in our armies who has been the victim of Democratic policy. The government, which at first sought to spare slavery, now seeks to destroy it. At last it has a policy; and I hold that no man is fit to lead our armies, or to hold any civil position, who does not sustain that policy. Our only hope lies in a vigorous prosecution of the war, and the overthrow of Democratic rule. I care little for mere names. For such generals as Rosecrans, Butler, Bayard, Rosseau, Wallace, Dumont, and Corcoran, and such civilians as Stanton, Bancroft, Owen, and Dickinson, I have only words of praise. They are heartily for their country, and as heartily despise the Democratic leaders who gabble about compromise with rebels. The recognized leaders of the Democratic party, judged by their avowed policy, are disloyal in spirit and purpose. They

talk about the "Constitution as it is," while conniving at its destruction by rebels, and offering them peace on the basis of a reconstructed government and another Constitution. They clamor for "the Union as it was," and mean by this the Union more completely than ever under the domination of slavery. I know what I hazard by this freedom of speech. I know that should Democratic policy continue to sway this administration, still further disasters may overtake our arms. I know that the people may finally reel and sicken under the prolonged spectacle of blood and treasure poured out in vain; and that the restoration of the Democratic party to power may be the result, followed by a compromise inaugurating a "reign of terror" in the free States far more relentless than that which prevailed in the South prior to the war. Demagogues, pointing the people to the desolation and ruin of the country caused by a profitless "abolition war," and stimulated by Southern leaders hungering and thirsting for revenge, may usher in an era of lawlessness and blood scarcely paralleled in history. The leaders of Republicanism, whose counsels, if followed, would have saved the country, may be confronted by dungeons, gibbets, and exile, under the new policy which the Slave Power, maddened by success, would dictate.

Sir, it is because of the remorseless despotism which Democratic policy would certainly establish that I denounce it, and plead with the President to smite it with all the power of the government, if he would save either his country or himself. The Republic of our fathers at this moment swings in horrid alternation between life and death. To falter or hesitate now is self-destruction. Rose-water statesmanship will not meet the crisis. Nothing can save us but the earnestness which finds its reflex in the rebels, and the courage which gathers strength from despair. A wise policy of the war is not enough. Proclamations of freedom will, of themselves, accomplish little. What we need is action, instant, decisive, defiant action, scourging faithless men from power, sweeping away obstacles, and kindling in the popular heart the fires of a new courage and hope. The government should arm the colored men of the free States as well as the slaves of the South, and thereby give effect to the proclamation of freedom. It should at once organize a bureau of emancipation, to take charge of the great interests devolved upon it by the extinction of slavery. While paying a fair assessment for the slaves of loyal owners, it should digest an equitable homestead policy, parceling out the plantations of rebels in small farms for the enjoyment of the freed-

men, who have earned their right to the soil by generations of oppression, instead of selling it in large tracts to speculators, and thus laying the foundations of a system of land monopoly in the South scarcely less to be deplored than slavery itself. It should seize all property belonging to traitors, and use it in defraying the expenses of the war. It should, as far as possible, send all disloyal persons beyond our lines. It should see to it that corrupt army contractors are shot. It should deal with rebels as having no rights under the Constitution, or by the laws of war, but the right to die. It should make war its special occupation and study, using every weapon in its terrible armory in blasting forever the organized diabolism which now employs all the enginery of hell in its work of national murder, and threatens to make our country the grave of liberty on earth. Such an earnestness, thus born of the unutterable guilt of the rebels and the peril of great and priceless interests, and sustained by a firm faith in the justice of our cause and the smiles of our Maker, would speedily restore our country to the glad embrace of peace, and reassure its promise of free government to the victims of despotic power throughout the world. Our liberties would be saved from present destruction, and new pulsations of life would be sent down through all the coming generations of men.

## HOMESTEADS FOR SOLDIERS ON THE LANDS OF REBELS.

HOUSE OF REPRESENTATIVES, MARCH 18, 1864.

[The measure here advocated passed the House by yeas 75, nays 64, but failed in the Senate through conservative scruples, as did the policy of striking at the fee of rebel land owners, which Mr. Lincoln finally favored. That these mistakes are sadly to be deplored no one can doubt, who will ponder the arguments of this speech in connection with the actual condition of affairs in the South since the close of the war. The dismemberment of the great rebel estates, and their distribution among the poor, was obviously the true policy of Reconstruction.]

MR. SPEAKER, — During the past month I prepared and reported from the Committee on Public Lands a bill to provide homesteads for persons in the military and naval service of the United States, on the forfeited and confiscated lands of rebels. The bill was recommitted and printed ; and my purpose was to discuss its provisions under the general call of committees for reports, which will bring the subject directly before the House for its action. I find, however, in the crowded state of our business, that this would delay my purpose indefinitely ; and I have therefore concluded to avail myself of the opportunity now offered to submit what I have to say.

The measure referred to will be considered a novel one, but it should not therefore be regarded with surprise or disfavor. Our country is in a novel condition. The civil war in which we are engaged is one of the grandest novelties the world has ever seen. We are every day brought face to face with new questions, and compelled to accept the new duties which lie in our path. Whoever comprehends this crisis and is willing to assume its burdens, must keep step to the march of events, and turn his back upon the past.

The bill I have reported, however, is less a novelty in its principles than in their application to new and unlooked for conditions. It involves, among other things, the policy of free homesteads to actual settlers ; and since this policy is now seriously menaced, I may be allowed to refer briefly to the subject by way of preface to what I shall have to say on the special matter before us.



Our Homestead Law was approved May the 20th, 1862. Its enactment was a long delayed, but magnificent triumph of freedom and free labor over the Slave Power. While that power ruled the government, its success was impossible. By recognizing the dignity of labor and the equal rights of the million, it threatened the very life of the oligarchy which had so long stood in its way. The slaveholders understood this perfectly; and hence they resisted it, reinforced by their Northern allies, with all the zeal and desperation with which they resisted "abolitionism" itself. Its final success is among the blessed compensations of the bloody conflict in which we are plunged. This policy takes for granted the notorious fact that our public lands have practically ceased to be a source of revenue. It recognizes the evils of land monopoly on the public domain, as well as in the old States, and looks to its settlement and improvement as the true aim and highest good of the Republic. It disowns, as iniquitous, the principle which would tax our landless poor men a dollar and a quarter per acre for the privilege of cultivating the earth; for the privilege of making it a subject of taxation, a source of national revenue, and a home for themselves and their little ones. It assumes, to use the words of General Jackson, that "the wealth and strength of a country are its population," and that "the best part of that population are the cultivators of the soil." This bold and heroic statesman urged this policy thirty-two years ago; and had it then been adopted, coupled with adequate guards against the greed of speculators, millions of landless men who have since gone down to their graves in the weary conflict with poverty and hardship, would have been cheered and blest with independent homes on the public domain. Wealth incalculable, quarried from the mountains and wrung from the forests and prairies of the West, would have poured into the federal coffers. The question of slavery in our national Territories would have found a peaceful solution in the steady advance and sure empire of free labor, whilst slavery in its strongholds, girdled by free institutions, might have been content to die a natural death, instead of ending its godless career in an infernal leap at the nation's throat.

The Homestead Act did not go into effect till the 1st of January, 1863. Within four months from that date, notwithstanding the troubled state of the country, more than a million of acres were taken up under its provisions; and at the close of the year ending September 30th, this amount was increased to nearly a million and a half. Peace will soon revisit the land and resurrect

the nation to a new life. The energy and activity of the people, now directed to the business of war, will be dedicated afresh to industrial pursuits. Many thousands in the loyal States who will have caught the spirit of travel and adventure, and far greater multitudes in the Old World who will be tempted to our shores, will lay hold of the homestead law as their glad refuge and sure help. It will be the day-star of hope to millions beyond the sea, as it is now the fond child of the millions of our own people who march under the old flag of our fathers. Should it stand for ten years to come, its blessings will outstrip the most sanguine anticipations of its friends. Its overthrow, I have said, is threatened; and this is done by indirection, as well as open assault. Since the date of its passage Congress has granted nearly seven millions of acres for the benefit of agricultural colleges, and about twenty millions to aid in the construction of railroads. There are now pending before Congress bills making other grants for railroads, amounting to nearly seventy millions of acres. We have a project before us which grants nearly seven millions of acres for the education of the children of soldiers; another granting two hundred thousand acres in the State of Michigan for the establishment of female colleges, which of course would be extended to the other States; and another granting ten millions of acres for the establishment of normal schools for young ladies. Every day witnesses the birth of new projects, by which our public lands may be frittered away and the beneficent policy of the homestead law mutilated and destroyed. And, simultaneously with the development of this backward movement, and as if to aid it, speculators are hovering over the public domain, picking and culling large tracts of the best lands, and thus cheating the government out of their productive wealth, and the poor man out of the home which else might be his at the end of the war. Whilst the homestead policy is thus invaded by gradual approaches and indirect attack, its overthrow is boldly demanded as a financial necessity. A veteran public journalist, and one of the foremost party leaders of our time,<sup>1</sup> proposes to go back from the Christian dispensation of free homes and actual settlement to the Jewish darkness of land speculators and public plunder. He wants money to pay our immense national debt, and seeks to obtain it by levying on the lands which the nation has already dedicated by law to occupancy and cultivation as the sure means of revenue. What we want and the government needs, is Immigration. This is demonstrated by the report of Hon. Sam-

<sup>1</sup> Thurlow Weed.

uel B. Ruggles to the International Congress which met at Berlin in last September. He takes the eight food-producing States of Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, and Missouri, and shows that between the years 1850 and 1860 their population increased 3,554,095, of whom a very large proportion were emigrants from the old States and from Europe. He shows that this influx of population increased the quantity of improved land in these States, within the same period, 25,146,054 acres; that the cereal products of these States increased 248,210,028 bushels; that their swine increased 2,503,224; their cattle, 2,831,098. He further shows that within the same period, the assessed value of real and personal estate of these States was augmented \$2,810,000,000. These, to a great extent, are the direct results of immigration; and in the light of these facts the interest and duty of the government are palpable. By all honorable and reasonable means it should tempt Europe to send her people to our shores. From 1850 to 1860 the immigration averaged, annually, 270,762, giving a total of 2,707,620. Within the next ten years, should the homestead policy continue, the number of immigrants will probably far transcend all precedent, while increasing multitudes from our older States will join in the grand procession towards the West. If Thurlow Weed wishes to use the public domain in paying our national debt, here is the process. It is simply to give heed to the divine injunction to "multiply and replenish the earth." It is to give homes to the millions who need them, and at the same time coin their labor into national wealth by marrying it to the virgin soil which woos the cultivator. It is to compel the earth to yield up her fruits, so that commerce may transmute them into silver and gold. Thus only can we solve the problem of our finances, so far as the public lands are concerned. The project of paying a debt of three thousand millions of dollars, or even the interest on it, by the sale of these lands, is sublimely ridiculous; whilst the proposition to repeal the homestead law is a proposition to encourage speculation, to plunder the government, to betray the just rights of millions by violating the plighted faith of the nation, to hinder the march of civilization, and to weaken the force of our example as a Republic, asserting equal rights and equal laws as the basis of its policy.

But I pass from this topic. I have adverted to it, partly because I desired to sound the alarm of danger in the ears of the people, and thus avert its approach, and partly because the considerations I have presented bear directly upon the measure now before the House.



Mr. Speaker, this rebellion has frequently, and very justly, been styled a slaveholders' rebellion. It is likewise a landholders' rebellion, for the chief owners of slaves have been the chief owners of land. Probably three fourths, if not five sixths of the lands in the rebel States at the beginning of the war belonged to the slaveholders, who constituted only about one fiftieth part of the whole population of those States; whilst of the entire landed estate of the three hundred and fifty thousand slaveholders of the South, at least two thirds belonged to less than one third of their number. I make my calculations from our census tables, and such other information as I find within my reach. The bill I have reported, therefore, contemplates no general seizure and confiscation of the property of the people in the insurrectionary districts. It looks to no sweeping measures against the rights of the masses, but simply to the breaking up and distribution of vast monopolies, which have made the few the virtual owners of the multitude, whether white or black. It is a bill to restore to the people their inalienable rights, by chastising the traitors who have conspired against the government. It proposes to vest in the United States the lands which may be forfeited by confiscation in punishment of treason, or of other crimes, under municipal laws; by confiscation as a right of war, by military seizure, or by process *in rem*; and by sales for non-payment of taxes. The *quantity* of real estate which will thus pass from the hands of rebels cannot now be definitely determined, but in seeking to estimate it we should bear in mind one important consideration. The war which the rebels are waging against us is no longer a mere insurrection. It is not a grand National riot, but a civil, territorial war between them and the United States. Having taken their stand outside of the Constitution, and rested their cause on the naked ground of lawless might, they have, of necessity, no constitutional rights. For them the Constitution has ceased to exist. They are belligerents, enemies of the United States. They still owe allegiance to the government, and are still traitors, but they are at the same time public enemies, who have simply the rights of war, and are to be dealt with according to the laws of war. The rights of war and the rights of peace cannot coexist in the hands of rebels. One party to a contract cannot violate it, and yet hold the other bound; and hence the Constitution has nothing whatever to do with our treatment of the rebels, unless we shall see fit voluntarily to waive the rights of war, and deal with them as citizens merely. I am not now uttering my own opinion, but the solemn judgment of the nation itself, speaking authoritatively through the highest court in



the Union. According to the decision of that court, a civil war between the United States and the rebels has been carried on for more than two years and a half. In the celebrated prize cases decided last spring, and reported in 2 Black's Reports, p. 635, Judge Grier says: "The parties to a civil war are in the same predicament as two nations who engage in a contest, and have recourse to arms;" that "a civil war exists and may be prosecuted, on the same footing as if those opposing the government were foreign invaders, whenever the regular course of justice is interrupted by revolt, rebellion, or insurrection, so that the courts cannot be kept open;" and that "the present civil war between the United States and the so-called Confederate States has such a character and magnitude as to give the United States the same rights and powers which they might exercise in the case of a national or foreign war." Such, Mr. Speaker, is the law as to the relations existing between the rebels and the United States. I am not arguing the point, because all argument is closed by this decision. The rebels are belligerents, and when they shall be effectually vanquished, they will have simply the rights of a conquered people under the law of nations, that is to say, such rights as we shall choose to grant them according to the laws of war, untrammelled by the Constitution of the United States.

In the light of this settled principle, Mr. Speaker, I judge of the extent of rebel territory which must fall under our control. The war will increase in intensity and fierceness to the end. The exasperation of the rebels will naturally keep pace with our successes. Our war policy, which has been steadily growing more and more earnest and radical for the past two years, will not again become a "war on peace principles." The amnesty proclamation may reach the case of many, but should it reach even all who are not expressly excepted by its terms, there will still be an immense territory falling under our power. Sir, whether we have willed it or not, this is now a war of *subjugation*, and the law of nations must govern the parties and the settlement of the dispute. We shall not be confined to the penal enactments of Congress on the subject of treason, which require an indictment, a regular trial, and a conviction. The condemnation of rebel property need not depend upon the prosecution of its owner through a grand jury, who may be wholly or in part secessionists, nor upon his conviction by a petit jury of like character, nor upon the finding of a bill within any statute of limitations. Resting our case on the law of nations and the laws of war, we are not compelled to seek the land of the rebel

through a trial which must be had in the country in which the offense was committed, and in which both court and jury may be in sympathy with the accused. The several penal acts of Congress on these subjects, and the ordinary safeguards of law applicable to the rights of citizens in a time of peace, are not in our way. The war powers of the government, as asserted and defined in the 5th, 6th, 7th, and 8th sections of the Confiscation Act of July 17, 1862, point to a remedy as sweeping as it is just; namely, the military seizure, condemnation, and sale of the real estate of traitors and their abettors. A considerable quantity of land, it is true, may pass from the rebels by judicial proceedings against them, for treason and other crimes under municipal statutes. I know, too, that millions of acres must be forfeited by the non-payment of taxes. But, independent of these sources of title, and by virtue of military seizure and condemnation alone, a very large proportion of the lands within the insurrectionary districts must vest in the government of the United States.

If it be said that the government has no right to confiscate the fee simple of rebel estates, I meet it with a direct denial. In what I have said, I have taken this right for granted. I have never doubted it for a moment, and I shall not now argue the question. The honest refusal of the President, in last June, to allow Congress to touch the fee of rebels in arms against the nation, was the saddest and grandest mistake of his life. That the right to do so was disputed and debated in the last Congress, as it has been extensively in this, by some of our wisest statesmen and greatest lawyers, will hereafter be set down among the political curiosities of this century. Our fathers were not fools, but wise men, who armed the nation with the power to crush its foes, as well as to protect its friends. "The Constitution was made for the people, not the people for the Constitution." It was not designed as a shield in the hands of traitors, but as a sword in the hands of the government to smite them to the earth. It recognizes the law of nations and the laws of war; nor was it possible for our country to escape them. The builders of our national ship did not so fashion and rig her that she could sail only in calm weather and over smooth seas, but they qualified her to ride out the fiercest tempest in safety, and to defy all pirates. That the nation, in this struggle for its life against redhanded traitors and assassins has no power to confiscate their lands, is a proposition which gives comfort to every rebel sympathizer in the country, while it insults both loyalty and common sense. The people know better, and on this question

their voice must be heeded. They do not believe, but they *know*, that the lands of rebels are subject to our power under the laws of war, as well as their personal property, their negroes, or their lives. The government, in the course of this struggle, has learned many lessons. Others are yet to be mastered. Having learned how to strike at slavery as the wicked cause of the war, and to arm the negroes in the national defense, it must now lay hold of the lands of rebels. I believe our triumph over them is not so near at hand as we generally suppose. The most terrific fighting of the war is yet to come. They do not dream of surrender, or compromise, on any conceivable terms. They will resist us to the end, with a spirit as remorseless as death, and as bitter as the ashes of hell. They must be overcome and crushed by the powers of war, and we must employ, with all the might which can be kindled by the crisis, every weapon known to the law of nations. Congress must repeal the joint resolution of last year, which protects the fee of rebel landholders. The President, as I am well advised, now stands ready to join us in such action. Should we fail to do this, the courts must so interpret the joint resolution as to make its repeal needless. Should both Congress and the courts stand in the way of the nation's life, then "the red lightning of the people's wrath" must consume the recreant men who refuse to execute the popular will. Our country, united and free, must be saved, at whatever hazard or cost; and nothing, not even the Constitution, must be allowed to hold back the uplifted arm of the government in blasting the power of the rebels forever.

I come then, Mr. Speaker, to the practical question involved in this bill. This conflict is to be ended by hard, desperate, and perhaps protracted fighting. We shall certainly win; and our triumph will inevitably divest the title to a vast body of land in the rebel States, and place it under our control. I think it entirely safe to conclude that it will constitute more than half, and probably three fourths, of all the cultivated lands in the rebellious districts. It will certainly, in any event, cover millions of acres. It will include all lands against which proceedings *in rem* shall be instituted, under the provisions of the act to suppress insurrections, and punish treason and rebellion, approved July 17, 1862; all lands which may be sold under the provisions of the act for the collection of direct taxes in insurrectionary districts, approved June 7, 1862; and all lands which may be sold under the provisions of the act to provide internal revenue to support the government, approved July 1st of the same year.

What shall be done with these immense estates, brought within our power by the acts of rebels? One of two policies, radically antagonistic, must be accepted. They must be allowed to fall into the hands of speculators, and become the basis of new and frightful monopolies, or they must be placed under the jurisdiction of the government, in trust for the people. The alternative is now presented, and presses upon us for a speedy decision. Under the laws of Congress now in force, unchecked by counter legislation, these lands will be purchased and monopolized by men who care far more for their own mercenary gains than for the real progress and glory of our country. Instead of being parceled out into small homesteads, to be tilled by their own independent owners, they will be bought in large tracts, and thus not only deprive the great mass of landless laborers of the opportunity of acquiring homes, but place them at the mercy of the lords of the soil. The old order of things will be swept away, but a new order, scarcely less to be deplored, will succeed. In place of the slaveholding land owner of the South, lording it over hundreds of slaves and thousands of acres, we shall have the grasping monopolist of the North, whose dominion over the freedmen and poor whites will be more galling than slavery itself, which in some degree tempers its despotism through the interest of the tyrant in the health and welfare of his victims. The maxim of the slaveholder that "capital should own labor," will be as frightfully exemplified under the system of wages-slavery, the child of land monopoly, as under the system of chattel-slavery which has so long scourged the Southern States. What we should demand is a policy that will guarantee homes to the loyal millions who need them, and thus guard their most precious rights and interests against the remorseless exactions of capital and the pitiless rapacity of avarice. The helpless condition of the poor of the rebel States, when capitalists shall have monopolized the land, is already foreshadowed in the recent report of Mr. Yeatman, of the Western Sanitary Commission. He says:—

"The poor negroes are everywhere greatly oppressed at their condition. They all testify that if they were only paid their little wages as they earn them, so that they could purchase clothing, and furnished with the provisions promised, they could stand it; but to work and get poorly paid, poorly fed, and not doctored when sick, is more than they can endure. Among the thousands whom I questioned none showed the least unwillingness to work. If they could only be paid fair wages they would be contented and happy. They do not realize that they are free men. They say that they are told they are, but then they are taken and hired out to men who treat them, so far as providing for them is concerned, far worse than their 'secesh' masters did. Besides this,



they feel that their pay or hire is lower now than it was when the 'secesh' used to hire them.

"The parties leasing plantations, and employing these negroes, do it from no motives, either of loyalty or humanity. The desire of gain alone prompts them, and they care little whether they make it out of the blood of those they employ, or from the soil. There are, of course, exceptions; but I am informed that the majority of the lessees were only adventurers, camp followers, 'army sharks,' as they are termed, who have turned aside from what they consider their legitimate prey, the poor soldier, to gather the riches of the land which his prowess has laid open to them. I feel that the fathers and brothers and friends of these brave men should have an opportunity to reap, under a more equitable system for the laborer, the reward of the months of toil and exposure it has cost to open this country to the institutions of freedom and compensated labor. If these plantations were required to be subdivided into parcels or tracts, to suit the views and means of our Western men, say in farms of from one to two hundred acres, thousands would soon flock to the South to lease them, especially when it was known that one acre of ground there cultivated in cotton would yield, in dollars, ten times as much as at home. Besides, this subdivision would attract a *loyal* population, who would protect the country against any guerilla bands that might infest it."

Mr. Speaker, the poor whites of the South will be as powerless to take care of themselves as the freedmen, unless the government shall arm them against their masters. "Subdivision" of the land, as Mr. Yeatman says, would also secure a loyal population, since every man who has a home to love and to defend will naturally love his country. This rebellion will present the strongest temptations to land monopoly that were ever offered to the greed of avarice and power. The rich lands of the South have been cursed by this evil from the beginning, and without the interposition of Congress the *system* will be continued, and vitalized anew by falling into fresh hands. The degraded and thriftless condition of the people, the heritage of centuries of bondage, will pave the way for land monopoly in more grievous forms than have yet been recorded in ancient or modern times. Society cannot possibly be organized on a Republican basis, because a grinding aristocracy, resting upon large landed estates, will convert the mass of the people into mere drudges and dependents. African slavery may not exist in name, but the few will practically control the fortunes of the many, irrespective of color or race. In such communities public improvements will necessarily languish. Wasteful and slovenly farming will stamp upon the country the impress of dilapidation, while reducing the productiveness of the soil and hindering the growth of manufactures and commerce. In the midst of large landed estates, towns and villages can neither be multiplied nor enjoy a healthy growth. The want of diversity of pursuits

and competition in business will palsy the energies of the people. The education of the masses will be impossible, since the establishment and support of schools within convenient reach of the people cannot be secured. The proprietors of the great estates, as has been well remarked, will be feudal lords, while the poor will have no feudal rights. Under the tendency of a false system, society will steadily gravitate towards the example of South America and Mexico, where some estates are larger than two or three of the smaller States of our Union. The country will find its likeness in England, in which the smaller landholders are daily being swallowed up by the larger. "In the civilized world," says Dr. Channing, "there are few sadder spectacles than the present contrast in Great Britain of unbounded wealth and luxury, with the starvation of thousands and tens of thousands, crowded into cellars and dens, without ventilation or light, compared with which the wigwam of the Indian is a palace. Misery, famine, brutal degradation, in the neighborhood and presence of stately mansions, which ring with gayety, and dazzle with pomp and unbounded profusion, shock us as does no other wretchedness."

Sir, the sympathy of the British aristocracy for the rebels is altogether natural. Land monopoly is slavery. The great English landlord looks upon the large slaveholders of the South as "brothers beloved," while the "sand-hillers" and "clay-eaters" of Carolina and Georgia are perhaps not more miserably degraded by unjust laws than the English agricultural laborer. Mr. Bancroft, describing the condition of Italy some two thousand years ago, says:—

"The aristocracy owned the soil and its cultivators. The vast capacity for accumulation which the laws of society secure to capital in a greater degree than to personal exertion, displays itself nowhere so clearly as in slaveholding States, where the laboring class is but a portion of the capital of the opulent. As wealth consists chiefly in land and slaves, the rates of interest are, from universally operative causes, always comparatively high; the difficulty of advancing with borrowed capital proportionally great. The small landholder finds himself unable to compete with those who are possessed of whole cohorts of bondmen; his slaves, his lands, rapidly pass, in consequence of his debts, into the hands of the more opulent. The large plantations are continually swallowing up the smaller ones; and land and slaves come to be engrossed by a few."

This is not only an exact description of slavery as we have seen it in the Southern States, but a parallel in principle to the system of aristocracy in England, founded on the monopoly of the soil. Travellers through that country speak of it as "thinly settled."

Outside of the cities and towns this is true. Even the commons, on which the poor used to pasture their cattle and enjoy their games, are now inclosed by legalized land robbers. Those who demand a correction of these evils, in the name of justice and the people, are denounced as "agrarians," just as the enemies of slavery in this country are branded as "abolitionists." The slaveholding land monopolists of this country are to-day reaping the bitter fruits of their unrighteous domination. A retribution to the aristocracy of England, not less terrible, is as certain to come, as that pampered injustice finds no limits to its demands.

But I need not dwell longer upon the evils of land monopoly. The history of civilization furnishes an unbroken testimony to these evils, and thus pleads with us, in the organization of new civil communities, to fortify ourselves against them. A grand opportunity now presents itself for recognizing the principles of radical democracy in the establishment of new and regenerated States. We are summoned by every consideration of patriotism, humanity, and Republicanism to lay the foundations of empire upon the enduring basis of justice and equal rights. No revolutionary or destructive measures are required on our part. We are already in the midst of revolution and chaos. Through no fault of our own, the foundations of social and political order in the rebel States are subverted, and the elimination of a great disturbing element opens up our pathway to the establishment of free Christian commonwealths on the ruins of the past. These States constitute one of the fairest portions of the globe. They are larger in area than all the free States of the North. They have a sea and gulf coast of more than six thousand miles in extent, and are drained by more than fifty navigable rivers, which are never closed to commerce by the rigor of the climate. They have at least as rich a soil as the States of the North, yielding great wealth-producing staples peculiar to them, and two or three crops in the year. They have a finer climate, and their agricultural, manufacturing, and commercial advantages are decidedly superior. Their geographical position is better, as respects the great commercial centres of the world. The institution of slavery, which has so long cursed these regions by excluding emigration, degrading labor, and impoverishing the soil, will very soon be expelled. The cry which already comes up from these lands is for free laborers. If we offer them free homesteads, and protect their rights, they will come. John Bright, in a recent speech at Birmingham, estimates that within the past year 150,000 people have sailed from England to New York. Let

it be settled that slavery is dead, and that the estates of traitors in the South can be had under the provisions of the homestead law, and foreign emigration will be quadrupled, if not augmented tenfold. Millions in the Old World, hungering and thirsting after the righteousness of free institutions, will flock to the sunny South, and mingle there with the swarms of our own people in pursuit of new homes under kindlier skies. Immigration has not slackened, even during this war, and in determining the direction it will take, it must be remembered that settlements have very nearly reached their limits in the North and West. Kansas and Nebraska are border States, and must so continue. Their storms, and droughts, and desert plains give a pretty distinct hint that the emigrant must seek his Eldorado in latitudes further south. In the new Northwestern States the richest lands have been purchased, and vast portions of them locked up by speculators. Their distance from the great markets for their produce, and their severe winters, will also check emigration in that direction and incline it further south, if lands can be procured there with tolerable facility. The rebel States not only abound in cheap and fertile land, with cheap labor in the persons of the freedmen to assist in its cultivation, but they possess great mineral resources. They have also extensive lines of railroads, which, in connection with their great rivers, bring almost every portion of their territory into communication with the sea.

Mr. Speaker, nothing can atone for the woes and sorrows of this war but the thorough reorganization of society in these revolted States. Now is the time to begin this work. We must not only cut up slavery, root and branch, but we must see to it that these teeming regions shall be studded over with small farms and tilled by free men. We must remember that "the best way to help the poor is to enable them to help themselves." We must guard the equal rights of the people as a religious duty, for "Christianity is the root of all democracy, the highest fact in the rights of man." Labor must be rendered honorable and gainful, by securing to the laborer the fruits of his toil. Instead of the spirit of Caste and the law of Hate, which have so long blasted these regions, we must build up homogenous communities in which the interest of each will be recognized as the interest of all. Instead of an overshadowing aristocracy, founded on the monopoly of the soil and its dominion over the poor, we must have no order of nobility but that of the laboring masses of the country, who fight its battles in war, and constitute its glory and its strength in peace. Instead of large estates, widely scattered settlements, wasteful agriculture,



popular ignorance, political and social degradation, the decay of literature, the decline of manufactures and the arts, contempt for honest labor, and a pampered aristocracy, we must have small farms, closely associated communities, thrifty tillage, free schools, social independence, a healthy literature, flourishing manufactures and mechanic arts, respect for honest labor, and equality of political rights. These ends, to a great extent, are provided for by the bill I have introduced, and no measure of more vital interest to the people has ever been submitted to the Congress of the United States. I voted for the bill which has passed this House, providing for a Bureau of Emancipation, but I must regard this measure as a far better "freedman's bill" than that of my honorable friend from Massachusetts, for it provides for the emancipation of all races, and the freedom of labor itself. These regions, blighted by treason, must be cared for or abandoned by the General Government. The heaven-daring conspiracy of rebels in arms has placed them, or will place them, at our feet. Shall we hand them over to the speculator, in the hope of thereby securing a revenue to pay our national debt? I have shown that the true source of revenue is the cultivation of the soil. The future of these rebellious States, involving the well-being of millions for generations to come, is now committed to our hands. We can reenact over them the political and social damnation of the past, or predestinate them to the blessedness and glory of a grand and ever-unfolding future. We can build up a magnificent constellation of free commonwealths, whose territory can support a population of more than one hundred millions, on the basis of free labor and a just distribution of land among the people; or we can again organize society after the pattern of Europe, and thus spare the hideous cancer which, in the words of Chateaubriand, "has gnawed social order since the beginning of the world." Can we hesitate, in dealing with so fearful an alternative? Shall we mock the Almighty by sporting with the heaven-permitted privilege now placed before us? Shall we heap curses on our children, when blessings are within our grasp? Sir, let us prove ourselves worthy of our day and of our work. Let us rise to the full height of our sublime opportunity, and thus make ourselves, under Providence, the creators of a new dispensation of liberty and peace. Then, in the eloquent language of Solicitor Whiting, "The hills and valleys of the South, purified and purged of all the guilt of the past, clothed with a new and richer verdure, will lift up their voices in thanksgiving to the Author of all good, who has granted to them, amidst the agonies

of civil war, a new birth and a glorious transfiguration. Then, the people of the North and the people of the South will again become *one people*, united in interests, in pursuits, in intelligence, in religion, and in patriotic devotion to our common country."

As regards the particular provisions of the bill before us, I need not occupy much of the time of this House. It has been printed, and gentlemen have had the opportunity of examining it for themselves. It has been prepared with much care, and with the assistance of some of the best lawyers in the Union. The first and second sections of the bill provide the methods by which the title of rebel land-owners shall vest in the United States under the acts of Congress now in force on the subject of confiscation and revenue. I shall not discuss the *power* of the government thus to acquire the title to this land, for it cannot be controverted without overturning all the legislation of the last Congress on the subject of confiscation, internal revenue, and the collection of taxes in insurrectionary districts. I have, in fact, already argued the question of power, in what I have said of our relations to the rebels as belligerents.

The third section provides for the survey of the lands in question as nearly as may be in forty-acre lots. This is deemed necessary from the fact that in several of the insurrectionary districts the old system of irregular surveys exists, and not the present or rectangular system. The section also provides for the appointment of necessary officers and their compensation, and contemplates the application and use of the machinery of the General Land Office within such districts.

The fourth section gives a homestead of eighty acres to all soldiers who shall have served in the army or navy two years, and forty acres to all persons who shall have aided in the military service against the rebels for any period of time, either as soldiers or laborers. It also extends the provisions of the Homestead Act of 1862 over these lands, thus avoiding any new and cumbersome regulations, and exacts a continuous residence of five years to consummate the title.

The fifth section provides that after keeping the lands open for homesteads for five years, those remaining vacant shall be sold at public sale. It prohibits the sacrifice of them by fixing a minimum price, which they must bring. It also requires the purchaser to comply with the Preëmption Act of 1841, prior to his receiving a patent, thus demanding a residence on the land, and precluding an accumulation of it in the hands of speculators. These safeguards

look to the benefit of the mass, and not the interests of a few, even after homesteads have been selected. This section also provides that proof of loyalty shall be made by all persons claiming rights under the bill.

The sixth section, as will be seen, requires no comment. The seventh requires persons selecting improved lands to pay for whatever may be found of value on them, after an appraisement by persons regularly appointed for the purpose, and to pay the costs occasioned by the proceeding. The effect will be that the expenses created by the act will be paid into the Treasury of the United States, and may exceed the expenditures which will be connected with its operations.

The eighth section establishes an obviously just if not necessary rule of construction as to persons of color, giving them equal rights with white men, and extends the inchoate rights of a settler to his heirs, or widow, who may complete payments and make proof.

The ninth section places the execution of the act in the Department of the Interior, or that more immediately connected with the land system; and the last section repeals all laws inconsistent with the provisions of this act. I will only add, that the act has nothing to do with real estate in towns, cities, and villages, which will, of course, continue to be sold as heretofore.

These, Mr. Speaker, are the material provisions of the bill. They embody principles which I have endeavored to vindicate, by argument and by fact. If I am right, then every moment of delay is a golden opportunity wasted forever. Under the present policy of the government every passing day bears witness to the transfer of thousands of acres of forfeited lands to speculators. According to Judge Underwood, more than two hundred millions of dollars' worth of property in the State of Virginia alone, chiefly real estate, should be confiscated by the government. Thousands of acres are now being sold in the vicinity of this city. In September last, the President of the United States issued instructions to the tax commissioners of South Carolina, providing for the sale of 40,845 acres, of which 24,316 acres were to be sold to the highest bidder, in tracts of 320 acres. The remainder was to be sold to the heads of African families, for such sums, not less than one dollar and twenty-five cents per acre, as the government should see fit to demand. These sales are portions of a lot of 76,775 acres offered on the 9th of last March, when 16,479 acres were sold to speculators; making an aggregate of 40,795 acres which will have been sold in large tracts, leaving for the negro

only 16,479 acres, which he may *buy*, if he can raise the money to pay the price fixed by the government. Such transactions as these, in Port Royal, where so much has been hoped for the freedman, are most significant. If any people have a divine right to these tropical lands, they are the slaves who have bought them, over and over, by their sweat and toil and blood, through centuries of oppression. Degraded and embruted by servitude, mere children in knowledge and self-help, we require them to compete for their homesteads with the sharpened faculties of the white speculator, schooled in avarice by generations of money getting, who believes the almighty dollar is the only living and true God, and would "run into the mouth of hell after a bale of cotton." Sir, our government is false to its trust, infidel to its mission, if it shall lend its high sanction to such wanton injustice and wrong. Had I the power I would give a free home on the forfeited lands of rebels to every bondman in the insurrectionary districts. Let the government, at least, give him an equal chance with our own race, in the settlement and enjoyment of his native land. Less than this would be a mockery of justice and an insult both to decency and humanity. He is excluded from the Northern States and Territories by their uncongenial climate, by his attachments to his birthplace, and by Anglo-Saxon domination and enterprise. Let the government, which has so long connived at his oppression, now make sure to him a free homestead on the land of his oppressor. Let us deal justly with the African, and thereby lay claim to justice for ourselves. Let us remember, in the language of our patriotic Chief Magistrate, that "*We cannot escape history. We of this Congress and of this administration will be remembered in spite of ourselves. No personal significance or insignificance can spare one or another of us. The fiery trial through which we pass will light us down, in honor or dishonor, to the latest generation. In giving freedom to the slave, we assure freedom to the free; honorable alike in what we give and what we preserve. We shall nobly save, or meanly lose, the last best hope of earth. Other means may succeed; this could not fail. The way is plain, peaceful, generous, just, — a way which, if followed, the world will forever applaud, and God must forever bless.*"



## RADICALISM AND CONSERVATISM — THE TRUTH OF HISTORY VINDICATED.

IN COMMITTEE OF THE WHOLE ON THE STATE OF THE UNION, FEB-  
RUARY 7, 1865.

[This parallel between Radicalism and Conservatism, drawn after the government had fairly changed its base, is believed to be as just as it was timely. A cordial and handsome tribute to the anti-slavery pioneers fitly closes the review.]

MR. CHAIRMAN, — Perhaps no task could be more instructive or profitable, in these culminating days of the rebellion, than a review of the shifting phases of thought and policy which have guided the administration in its endeavors to crush it. Such a retrospect will help us vindicate the real truth of history, both as to measures and men. It will bring out, in the strongest colors, the contrast between Radicalism and Conservatism, as rival political forces, each maintaining a varying control over the conduct of the war. It will, at the same time, point out and emphasize those pregnant lessons of the struggle which may best supply the government with counsel in its further prosecution. The faithful performance of this task demands plainness of speech ; and I shall not shrink from my accustomed use of it, in the interests of truth and freedom.

At the beginning of this war, Mr. Chairman, neither of the parties to it comprehended its character and magnitude. Its actual history has been an immeasurable surprise to both, and to the whole civilized world. The rebels evidently expected to make short work of it. Judging us by our habitual and long-continued submission to Southern domination, and confiding in the multiplied assurances of sympathy and help which they had received from their faithful allies in the North, they regarded the work of dismemberment as neither difficult nor expensive. They did not dream of the grand results which have proceeded from their mad enterprise. Nor does their delusion seem to have been at all strange or unnatural. Certainly, it was not more remarkable than the infatuation of the administration, and its conservative friends. The government understood the conflict as little, and misunderstood it

as absolutely, as its foes. This, sir, is one of the lessons of the war which I think it worth while to have remembered. This revolt, it was believed, was simply a new and enlarged edition of Southern bluster. The government did not realize the inexorable necessity of actual war, because it lacked the moral vision to perceive the real nature of the contest. To every suggestion of so dire an event it turned an averted face and a deaf ear. It hoped to restore order by making a show of war, without actually calling into play the terrible enginery of war. It trusted in the form, without the power of war, just as some people have trusted in the form, without the power of godliness. It will be remembered that just before the battle of Ball's Bluff, General McClellan ordered Colonel Stone to "make a slight demonstration against the rebels," which might "have the effect to drive them from Leesburg." The government seems to have pursued a like policy in dealing with the rebellion itself. "A slight demonstration," it was believed, would "have the effect" to arrest the rebels in their madness, and reëstablish order and peace in about "sixty days," without allowing them to be seriously hurt, and without unchaining the tiger of war at all. The philosophy of General Patterson, who kindly advised that the war on our part should be "conducted on peace principles," was by no means out of fashion with our rulers, and the conservative leaders of opinion generally. Even the Commander-in-chief of our army and navy scouted the idea of putting down the rebellion by military power. He thought the country was to be saved by giving up the principles it had fairly won by the ballot in the year 1860, and to the maintenance of which the new administration was solemnly pledged. He believed in "conciliation," in "compromise," — the meanest word in the whole vocabulary of our politics, except, perhaps, the word "conservative," — and had far less faith in the help of bullets and bayonets in managing the rebels than in the power of our brotherly love to melt their susceptible hearts, and woo them back, gently and lovingly, to a sense of their madness and their crime. Our distinguished Secretary of State declared that "none but a despotic or imperial government would seek to subjugate thoroughly disaffected sovereignties." The policy of coercing the revolted States was disavowed by the President himself in his message to Congress of July, 1861.

Nor did the Legislative Department of the government, at that time, disagree with the Executive. On the 22d day of July of the same year, — and I say it with sorrow and shame, — on the very morning following the first battle of Bull Run, the House of Rep-

representatives, speaking in the form of solemn legislative resolves, as did the Senate two days later, declared that it was not the purpose of the government to "subjugate" the villains who began this work of organized and inexcusable rapine and murder. Indeed, it was not then the fashion to call them villains. In the very polite and gingerly phrase of the times they were styled "our misguided fellow-citizens," and "our erring Southern brethren," while the rebel States themselves were lovingly referred to as "our wayward sisters." The truth is, that for about a year and a half of this war the policy of tenderness to the rebels so swayed the administration that it seemed far less intent upon crushing the rebellion by arms, than upon contriving "how *not* to do it." General McClellan, who so long palsied the energies and balked the purpose of the nation, would not allow an unkind word to be uttered in his presence against the rebel leaders. If an officer or soldier was heard to speak disrespectfully of the great Confederate chief, he was summarily reprimanded, while the unrivaled reprobate and grandest of national cut-throats was pronounced a high-souled gentleman and man of honor! Not the spirit of war, but the spirit of peace, seemed to dictate our principles of action and measures of policy toward the men who had resolved, at whatever hazard or sacrifice, to break up the government by force. This policy, sir, had it been continued, would have proved the certain triumph of the rebel cause. With grand armies in the field, and all the costly machinery of war in our hands, our opportunities were sinned away by inactivity and delay, while the rebels gathered strength from our indecision and weakness. A major-general in our army, and as brave and patriotic a man as lives, said to me in the early stages of the war that the grand obstacle to our success was the lack of resentment on our part toward traitors. He said we did not adequately hate them; and he urged me, if in any degree in my power, to breathe into the hearts of the people in the loyal States a spirit of righteous indignation and wrath toward the rebels, commensurate with the unmatched enormity of their deeds. This spirit, Mr. Chairman, was a military necessity. The absence of it furnishes the best explanation of our failure during the period referred to, while its acceptance by the government inaugurated the new policy which has ever since been giving us victories.

That this sickly policy of an inoffensive war has naturally prolonged the struggle, and greatly augmented its cost in blood and treasure, no one can doubt. That it belongs, with its entire legacy of frightful results, exclusively to the conservative element in our

politics, which at first ruled the government, is equally certain. The radical men saw at first, as clearly as they see to-day, the character and spirit of this rebel revolt. The massacre at Fort Pillow, the starvation of our soldiers at Richmond, and the whole black catalogue of rebel atrocities, have only been so many verified predictions of the men who had studied the institution of slavery, and who regarded the rebellion as the natural fruit and culmination of its Christless career. And hence it was that in the very beginning of the war, radical men were in favor of its vigorous prosecution. They knew the foe with whom we had to wrestle. In language employed on this floor more than three years ago, they knew that "sooner than fail in their purpose the rebels would light up heaven itself with the red glare of the Pit, and convert the earth into a carnival of devils." They knew that "every weapon in the armory of war must be grasped, and every arrow in our quiver sped toward the heart of a rebel." They knew that "all tenderness to such a foe is treason to our cause, murder to our people, faithlessness to the grandest and holiest trust ever committed to a free people." They knew that "the war should be made just as terrific to the rebels as possible, consistently with the laws of war, not as a work of vengeance, but of mercy, and the surest means of our triumph." They knew that in struggling with such a foe we were shut up to one grand and inevitable necessity and duty, and that was entire and absolute *subjugation*. All this was avowed and insisted upon by the earnest men who understood the nature of the conflict, and as persistently disavowed and repudiated by the government and its conservative advisers.

But a time came when its lessons had to be unlearned. In the school of trial it was forced to admit that war does not mean peace, but exactly the opposite of peace. Slowly, and step by step, it yielded up its theories and brought itself face to face with the stern facts of the crisis. The government no longer gets frightened at the word subjugate, because of its literal etymology, but is manfully and successfully endeavoring to place the yoke of the Constitution upon the unbaptized necks of the scoundrels who have thrown it off. The war is now recognized as a struggle of numbers, of desperate physical violence, to be fought out to the bitter end, without stopping to count its cost in money or in blood. Both the people and our armies, under this new dispensation, have been learning how to hate rebels as Christian patriots ought to have done from the beginning. They have been learning how to hate rebel sympathizers also, and to brand them as even meaner than



rebels outright. They regard the open-throated traitor, who stakes his life, his property, his all, upon the success of his conspiracy against the Constitution and the rights of man, as a more tolerable character than the skulking miscreant who in his heart wishes the rebellion God-speed, while masquerading in the hypocritical disguise of loyalty. Had the government been animated by a like spirit at the beginning of the outbreak, practically accepting the truth that there can be no middle ground between treason and loyalty, rebel sympathizers would have given the country far less trouble than they have done. A little wholesome severity, summarily administered, would have been a most sovereign panacea. On this point the people were in advance of the administration, and they are to-day. Their earnestness has not yet found a complete and authoritative expression in the action of the government. A system of retaliation, which would have been a measure of real mercy, has not yet been adopted. Our cause is not wholly rescued from the control of conservative politicians and generals. Much remains to be done ; but far more, certainly, has already been accomplished. The times of brotherly love toward rebels in arms have gone by forever. Such men as McClellan, Buell, and Fitz-John Porter, are generally out of the way, and men who believe in *fighting* rebels are in active command. This revolution in the war policy of the government, as already observed, was absolutely necessary to the salvation of our cause ; and the country will not soon forget those earnest men who at first comprehended the crisis and the duty, and persistently urged a vigorous policy, suited to remorseless and revolutionary violence, till the government felt constrained to embrace it.

But a vigorous prosecution of the war, Mr. Chairman, was not enough. While this struggle is one of numbers and of violence, it is likewise, and still more emphatically, a war of ideas ; a conflict between two forms of civilization, each wrestling for the mastery of the country. No one now pretends to dispute this, nor is it easy to understand how any one could ever have failed to perceive it. But the government, in the beginning, did not believe it. It tried, with all its might, not to believe it, and to persuade the world to disbelieve it. It insisted that the real cause of the war did not cause it at all. The rebellion was the work of chance ; a stupendous accident, leaping into life full grown, without father or mother, without any discoverable genesis. It was a huge, black, portentous, national riot, which must be suppressed, but nobody was to be allowed to say one word about the causes which pro-

duced it, or the issues involved in the struggle. Silence was to be our supreme wisdom. Hence it was that the government, speaking through its high functionaries, declared that the slavery question was not involved in the quarrel, and that every slave in bondage would remain in exactly the same condition after the war as before. Hence it was that, when a celebrated proclamation was issued, giving freedom to the slaves of rebels in Missouri, it was revoked by the government in order to please the State of Kentucky, and placate the power that began the war. Hence, under General Halleck's "Order No. 3," which remained in force more than a year, the swarms of contrabands who came thronging to our lines, tendering us the use of their muscles and the secrets of the rebel prison-house, were driven away by our commanders. Hence it was that our soldiers were compelled to serve as slave-hounds in chasing down fugitives and sending them back to rebel masters, and that General McClellan, who always loved slavery more than he loved his country, and who declared he would put down slave insurrections "with an iron hand," was continued as Commander-in-chief of our armies long months after the country desired to spew him out. Hence, likewise, so many thousands of our soldiers were compelled to dig and ditch in the swamps of the Chickahominy till the cold sweat of death gathered on the handle of the spade, while swarms of stalwart negroes, able to relieve them and eager to do so, were denied the privilege, lest it should offend the nostrils of democratic gentility, and give aid and comfort to the abolitionists. Hence it was that the President, instead of striking at slavery as a military necessity, and while rebuking that policy in his dealings with Hunter and Fremont, was at the same time so earnestly espousing chimerical projects for the colonization of negroes, coupled with the policy of gradual and compensated emancipation, which should take place some time before the year 1900, if the slaveholders should be willing. Hence it was that very soon after the administration had been installed in power it began to lose sight of the principles on which it had triumphed in 1860, allowing four fifths of the offices of the army and navy to be held by men of known hostility to those principles, while the various departments of the government in this city were largely filled by rebel sympathizers. Hence it was that for nearly two years of this war the government, while smiting the rebels with one hand, was with the other guarding the slave property and protecting the constitutional rights of the men who had renounced the Constitution, and ceased to have any rights under it save the

right to its penalty against traitors. Hence it was that during the greater part of this time the administration stood upon the platform and urged the policy of "The Constitution as it is and the Union as it was," which the nation so overwhelmingly repudiated in the late Presidential contest. Hence it was, finally, that the songs of Whittier could not be sung in our armies; that slavery was everywhere dealt with by the government as the dear child of its love; and that our rulers seemed, with matchless impiety, to hope for the favor of God without laying hold of the *conscience* of our quarrel, and by coolly kicking it out of doors! Sir, I believe it safe to say that this madness cost the nation the precious sacrifice of fifty thousand soldiers, who have gone up to the throne of God as witnesses against the horrid infatuation that so long shaped the policy of the government in resisting this slaveholders' rebellion.

But here, again, Mr. Chairman, the government had to unlearn its first lessons. Its purpose to crush the rebellion and spare slavery was found to be utterly suicidal to our cause. It was a purpose to accomplish a moral impossibility, and was therefore prosecuted, if not conceived, in the interest of the rebels. It was an attempt to marry treason and loyalty; for the rebellion is slavery, armed with the powers of war, organized for wholesale schemes of aggression, and animated by the overflowing fullness of its infernal genius. The strength of our cause lies in its righteousness, and therefore no bargain with the devil could possibly give it aid. Through great suffering and sacrifice, individual and national, our rulers learned that there is but "one strong thing here below, the just thing, the true thing," and that God would not allow these severed States to be reunited without the abandonment, forever, of our great national sin. This was a difficult lesson, but as it was gradually mastered the government "changed its base." It became disenchanted. Congress took the lead in ushering in the new dispensation. A new article of war was enacted, forbidding our armies from returning fugitive slaves. Slavery was abolished in the District of Columbia, and prohibited in our national Territories, where it had been planted by the dogma of popular sovereignty and the Dred Scott decision. Our federal judiciary was so reorganized as to make sure this anti-slavery legislation of Congress. The confiscation of slaves was provided for, and freedom offered to all who would come over and help us, either as laborers or soldiers, thus annulling the famous or rather *infamous* order of General Halleck, already referred to. The Fugitive Slave Law was at first made void as to the slaves of rebels, and finally re-



pealed altogether, with the old law of 1793. The coastwise slave-trade, a frightful system of home piracy, carried on by authority of Congress since the year 1807, was totally abolished. The right of testimony in our federal courts, and to sue and be sued, was conferred upon negroes. Their employment as soldiers was at last systematically provided for, and their pay at length made the same as that of white soldiers. The independence of Hayti and Liberia was recognized, and new measures taken to put an end to the African slave-trade. In thus wiping out our code of national slave laws, acknowledging the manhood of the negro, and recognizing slavery as the enemy of our peace, Congress emphatically rebuked the policy which had sought to ignore it, and to shield it from the destructive hand of the war instigated by itself; while it opened the way for further and inevitable measures of justice, looking to his complete emancipation from the dominion of Anglo-Saxon prejudice, the repeal of all special legislation intended for his injury, and his absolute restoration to equal rights with the white man as a citizen as well as a soldier.

Meanwhile, the President had been giving the subject his sober second thought, and reconsidering his position at the beginning of the conflict. Instead of affirming, as at first, that the question of slavery was not involved in the struggle, he gradually perceived, and finally admitted, that it was at once the cause of the war and the obstacle to peace. Instead of resolving to save the Union *with* slavery, he finally resolved to save the Union without it, and by its destruction. Instead of entertaining the country with projects of gradual and distant emancipation, conditioned upon compensation to the master and the colonization of the freedmen, he himself finally launched the policy of immediate and unconditional liberation. Instead of recoiling from "radical and extreme measures," and "a remorseless revolutionary conflict," he at last marched up to the full height of the national emergency, and proclaimed "to all whom it may concern," that slavery must perish. Instead of a constitutional amendment for the purpose of eternizing the institution in the Republic, indorsed by him in his inaugural message, he became the zealous advocate of a constitutional amendment abolishing it forever. Instead of committing the fortunes of the war to pro-slavery commanders, whose hearts were not in the work, he learned how to dispense with their services, and find the proper substitutes. These forward movements were not ventured upon hastily, but after much hesitation and apparent reluctance. Not suddenly, but following great deliberation and many misgiv-



ings, he issued his proclamation of freedom. Months afterward he doubted its wisdom; but it was a grand step forward, which at once severed his relations with his old conservative friends, and linked his fortunes thenceforward to those of the men of ideas and of progress. Going hand in hand with Congress in the great advance measures referred to, or acquiescing in their adoption, the whole policy of the administration has been revolutionized. Abolitionism and loyalty are now accepted as convertible terms, and so are treason and slavery. Our covenant with death is annulled. Our national partnership with Satan has been dissolved; and just in proportion as this has been done, and an alliance sought with divine Providence, has the cause of our country prospered. In a word, Radicalism has saved our nation from the political damnation and ruin to which Conservatism would certainly have consigned it; while the mistakes and failures of the administration stand confessed in its new policy, which alone can vindicate its wisdom, command the respect and gratitude of the people, and save it from humiliation and disgrace.

Mr. Chairman, these lessons of the past suggest the true moral of this great conflict, and make the way of the future plain. They demand a vigorous prosecution of the war by all the powers of war, and that the last vestige of slavery shall be scourged out of life. Let the administration falter on either of these points, and the people will disown its policy. They have not chosen the President for another term through any secondary or merely personal considerations. In the presence of so grand an issue, men were nothing. They had no faith in General McClellan and the party leaders at his heels. They had little faith in the early policy of Mr. Lincoln, when Democratic ideas ruled his administration, and the power of slavery held him in its grasp. Had his appeal to the people been made two years earlier, he would have been as overwhelmingly repudiated as he has been gloriously indorsed. The people sustain him now, because of their assured faith that he will not hesitate to execute their will. In voting for him for a second term, they voted for liberating and arming the slaves of the South to crush out a slaveholders' rebellion. They voted that the Republic shall live, and that whatever is necessary to save its life shall be done. They voted that slavery shall be eternally doomed, and future rebellions thus made impossible. They voted, not that Abraham Lincoln can save the country, but that *they* can save it, with him as their servant. That is what was decided in the late elections. I have participated, somewhat actively, in seven Presidential contests, and

I remember none in which the element of personal enthusiasm had a smaller share than that of last November. One grand and overmastering resolve filled the hearts and swayed the purposes of the masses everywhere, and that was the rescue of the country through the defeat of the Chicago Platform and conspirators. In the execution of that resolve they lost sight of everything else ; but should the President now place himself in the people's way, by reviving the old policy of tenderness to the rebels and their beloved institution, the loyal men of the country will abandon his policy as decidedly as they have supported it generously. They have not approved the mistakes either of the legislative or executive department of the government. They expect that Congress will pass a bill for the confiscation of the fee of rebel landholders, and they expect the President will approve it. They expect that Congress will provide for the reconstruction of the rebel States by systematic legislation, which shall guarantee Republican governments to each of those States and the complete enfranchisement of the negro ; and they will not approve, as they have not approved, of any executive interference with the people's will as deliberately expressed by Congress. They expect that Congress will provide for parceling out the forfeited and confiscated lands of rebels in small homesteads among the soldiers and seamen of the war, as a fit reward for their valor, and a security against the ruinous monopoly of the soil in the South ; and they will be disappointed should this great measure fail through the default either of Congress or the Executive. They demand a system of just retaliation against the rebels for outrages committed upon our prisoners ; that a policy of increasing earnestness and vigor shall prevail till the war shall be ended ; and that no hope of peace shall be whispered save on condition of an absolute and unconditional surrender to our authority ; and the government will only prolong the war by standing in the way of these demands. This is emphatically the people's war ; and it will not any longer suffice to say that the people are not ready for all necessary measures of success. The people would have been ready for such measures from the beginning, if the government had led the way. At every stage of the contest they have hailed with joy every earnest man who came forward, and every vigorous war measure that has been proposed. So long as the war was conducted under the counsels of Conservatives, and in the interests of slavery, the people clamored against the administration ; but just so soon as the government entered upon a vigorous policy, and proclaimed war against slavery, the people began to shout for

the Union and liberty. In the fall of 1862, before the administration was divorced from its early policy, the Union party was overwhelmed at the polls. But we triumphed the next year, and gloriously triumphed last year, because the government yielded to the popular demand. The plea often urged, that the people were not ready, is less a fact than a pretext. The men who loved slavery more than they loved the Union were never ready for radical measures. They are not ready to-day. On the other hand, the men who were all the while unconditionally for the Union would have sustained the administration far more heartily in the most thorough and sweeping war measures, than they sustained its policy of delaying those measures to the last hour.

The truth is, the people have stood by the government for the sake of the cause, whether its policy pleased them or not. Their faith and patience have been singularly unflinching throughout the entire struggle. They would not distrust the President without the strongest reasons. They were ever ready to credit him with good intentions, and to presume in favor of his superior means of knowledge. When General Fremont was recalled from Missouri, and General Butler from New Orleans, the people pocketed their deep disappointment, and quietly acquiesced. When General Buell was kept in command so long after his inefficiency had been demonstrated, and his loyalty questioned, both by the country and the men under his command, the people bore it with uncommon patience and long-suffering. They displayed the same virtues in the case of General McClellan and other rebel sympathizers, who found favor with the administration long after the country would have sent them adrift. Sir, this feeling of unconquerable respect for our chosen rulers, this Anglo-Saxon regard for constituted authority, has been evinced by the people through all the phases of the war. Most assuredly it would not have been found wanting had the government inaugurated a radical policy, instead of a conservative one, during the first year and a half of the struggle. The people who endured McClellan, and Buell, and Halleck, would have endured Fremont, and Hunter, and Butler. If the Conservative Unionists of Kentucky were not ready for the proclamation of freedom to the slaves of Missouri rebels, there were millions of people outside of Kentucky who were not ready to have it revoked. I agree that slavery had done much to drug the conscience of the country with its insidious poison. I know that we had so long made our bed with slaveholders that kicking them out was rather an awkward business. As brethren, living under a common gov-



ernment, we had long journeyed together, and our habits and traditions naturally took the form of obstacles to a just policy in dealing with them as rebels and public enemies. It was by no means easy at once to recognize them as such. All this is granted, and that in the beginning the country was not prepared for every radical measure of legislation and war now being employed by the government. But it was the duty of the administration to do its part in preparing the country. Clothed with solemn official authority, and intrusted by the nation with the sworn duty of serving it in such a crisis, it had no right to become the foot-ball of events. It had no right, at such a time, to make itself a negative expression or an unknown quantity, in the algebra which was to work out the grand problem. It had no right to take shelter beneath a debauched and sickly public sentiment, and plead it in bar of the great duty imposed upon it by the crisis. It had no right, certainly, to lag behind that sentiment, to magnify its extent and potency, and to become its virtual ally, instead of endeavoring to control it, and to indoctrinate the country with ideas suited to the emergency. The power of the government in moulding the general opinion and feeling was immense, and its responsibility must be measured accordingly. The revocation of the first anti-slavery proclamation of this war chilled the heart of every earnest loyalist in the land, and came like a trumpet-call to the pro-slavery hosts to rally and stand together. They obeyed it, and from that event dates the birth of organized Copperhead Democracy. The rebels of the South and their sympathizers in the North felt that they had gained an ally in the President. Had he sustained that measure, would not its moral effect have been at least as potent on the other side? Had his official name and sanction been as often given to the cause of Radicalism as they were lent to that of pro-slavery Conservatism, would not the country have been much sooner prepared for the saving and only policy? If he had said, early in the struggle, "to all whom it may concern," what he says now, that slavery is the nation's enemy, and therefore must be destroyed, instead of sheltering it under the Constitution and sparing it from the hand of war, how grandly could he have "organized victory," and multiplied himself among the people! Sir, our traditionary respect for slavery and slaveholders was our grand peril. It stood up as an impassable barrier in the way of any successful war for the Union. So long as it was allowed to dominate, it unnerved the arm of the government and deadened the spirit of the people. It made the Old World our enemy, and threatened us with foreign war. The



mission of the government was not to make this feeling stronger by deferring to it, or to doom the country to a prolonged war and deplorable sacrifices as the best means of teaching the people the truth. No. The country needed a speedy exodus from the bondage of false ideas, and the government should have pointed the way. A frank statement by it of the real issue of the war, without any disposition to cover up the truth; an unmistakable hostility to slavery as the organized curse, without which the rebellion would have been impossible; and the timely utterance in its leading State papers of a few bold and spirit-stirring words which might have been "half battles," appealing to the courage and manhood of the nation, would have gone far to educate the judgment and conscience of the people, and command their enthusiastic espousal of whatever measures would promise most speedily to end the struggle and economize its cost in property and life.

Mr. Chairman, I take no pleasure, certainly, in thus freely discussing the policy of the government in its endeavors to meet its great responsibilities during this war. I have only referred to its mistakes as a servant of the truth, and in the name of the great cause which has been made to suffer. I believe, religiously, in the freedom of speech. From the beginning of the war I have exercised the right of frank, friendly, and fearless criticism of the conduct of our rulers, wherever I believed them to have been in the wrong. I shall continue to exercise it to the end; and if I should not, through any personal or prudential considerations, I would be unworthy of the seat I have occupied on this floor. Criticism has dictated the present policy of the government, and is still a duty. This great battle for the rights of man, and the actors in it, must be judged. None of them can "escape history." The fame of none of them is so precious as the truth, and as public justice, which cares for the dead as well as the living, for the common soldiers slain by thousands as well as for the general and the statesman. The President, his advisers, his commanding generals, and the civilians whose shaping hands have had so much to do with the conduct of the war, must all of them be weighed in the balance by the people and the generations to come. "The great soul of the world is just," and sooner or later all disguises will be thrown off, and every historical character will stand forth as he is, in the light of his deeds and deserts. The men who have been intrusted with the concerns of the nation in this momentous crisis will not be judged harshly. Much will be forgiven or excused on the score of the surpassing magnitude and difficulty of their work.

Justice will be done ; but that justice may brand as a crime the blunders proceeding from a feeble, timid, ambidextrous policy, resulting in great sacrifices of life and treasure, and periling the priceless interests at stake. I would award all due honor to this administration, and to the statesmen and generals who have been faithful to their high trusts ; but I would award an equal honor to the rank and file of the people, who have inspired its present policy, and to the rank and file of our soldiers, who have saved the country in spite of the mistakes of the government, the strifes of our politicians, and the rivalries of our generals. These are the real heroes of the war. Untitled, practically unrewarded, facing every form of privation and danger, and animated by the purest patriotism, the common soldier is not only the true hero of the war, but the real savior of his country.

But a higher honor, if not a more enduring fame, will be the heritage of the anti-slavery pioneers and prophets of our land : for

“ Peace hath higher tests of manhood  
Than battle ever knew.”

Without their heroic labors and sacrifices the Republic, “ heir of all the ages,” would have been the mightiest slave empire of the world. In an age of practical atheism and mammon-worship, when the Church and the State joined hands with Slavery as the new trinity of the nation’s faith, they really believed in God, in justice, in the resistless might of the truth. They believed that liberty is the birthright of all men, and their grand mission was the practical vindication of this truth. They believed, with their whole hearts, in the Declaration of Independence. They accepted its teachings as coincident with the Gospel of Christ, and supported by reason and justice. It was their ceaseless “ battle-cry of freedom,” and they chanted it as “ the fresh, the matin song of the universe,” to the enslaved of all races and lands. They were branded as fanatics and infidels, and encountered everywhere the hootings of the multitude and the scorn of politicians and priests ; but I know of no class of men who were ever more far-sighted, whose convictions rested on so broad a basis of Christian morals and logic, and whose religious trust was so strong and so steadfast. For them there was no “ eclipse of faith.” Just as the nation began to lapse from the grand ideas of our revolutionary era, they began to “ cry aloud and spare not,” and they never ceased or slackened their labors. Placing their ears to the ground in the infancy and weakness of their movement, they caught the rumbling thunders

of civil war in the distance, warned the country of its danger, and preached repentance as the chosen and only means of escape. They were compelled to face mobs, violence, persecution, and death, and were always misunderstood or misrepresented; but they never faltered. Reputation, honors, property, worldly ease, were all freely laid upon the altar of duty, in their resolve to vindicate the rights of man and the freedom of speech. To follow these apostles and martyrs was to forsake all the prizes of life which worldly prudence or ambition could value or covet. It was to take up the heaviest cross yet fashioned by this century as the test of Christian character and heroism; and those who bore it were far braver spirits than the men who fight our battles on land and sea.

Mr. Chairman, the failure of men thus devoted to a great and holy cause was morally impossible. They could not fail. Through their courage, constancy, and faith, they gradually secured the coöperation or sympathy of the better type of men of all parties and creeds. They seriously disturbed, or broke in pieces, the great political and ecclesiastical organizations of the land; and even before this war their ideas were rapidly taking captive the popular heart. When it came, they saw, as by intuition, the character of the struggle, as the final phase of slaveholding madness and crime, and insisted upon the early adoption of that radical policy which the government at last was compelled to accept. I believe it safe to say that the moral appeals and persistent criticism of these men, and of the far greater numbers who borrowed or sympathized with their views, saved our cause from the complete control of Conservatism, and thus saved the country itself from destruction. Going at once to the heart of our great conflict, they pointed out the only remedy, and felt compelled to reprobate the failure of the government to adopt it. They judged its policy in war, as they had done in peace, in the light of its fidelity or infidelity to Human Rights. By this test they tried every man and party, and they need ask for no other rule of judgment for themselves. The administration, and the chief actors in this drama of war, of whatever political school, must be weighed in the same great balance. Not even the founders of the Republic will be spared from the trial. In their compromise with slavery in the beginning, which is now seen to have been the germ of this horrid conflict, they "swerved from the right." Posterity must so pronounce; and the record which dims the lustre of their great names will be read in the flames of this war as a warning against all

future compacts with evil. Justice to public men is as certain as that truth is omnipotent. It may be delayed for a season ; it may be hidden from the vision of men of little faith ; but its final triumph is sure. To the world's true heroes and confessors history ever sends its word of cheer : —

“ The good can well afford to wait ;  
Give ermined knaves their hour of crime ;  
Ye have the future, grand and great, —  
The safe appeal of truth to time.”



## SALE OF MINERAL LANDS.

HOUSE OF REPRESENTATIVES, FEBRUARY 9, 1865.

[The policy of vesting the fee of mineral lands in the miners, and thus promoting security of titles, permanent settlements, and thorough development, is believed to be here conclusively sustained. Unfortunately for the best interests of the country, and owing chiefly to opposition from the State of California, it has only been partially carried out, and by very cumbersome and impracticable methods. The whole subject is more fully discussed by Mr. Julian in an elaborate report from the House Committee on Public Lands during the first session of the Thirty-ninth Congress.]

MR. SPEAKER, — The policy of the government in dealing with the vast mineral resources of the nation is a subject of the highest moment to the people, and invokes the early and earnest attention of Congress. No one can overstate its magnitude, considered in relation to the actual facts of our condition to-day. In seasons of prosperity and peace our country can endure much mal-administration, and very serious financial mistakes; but these are not to be hazarded in this crisis of our history. We are compassed about with perils and pressing necessities, and must husband both our wisdom and our resources if we hope to save the Republic.

The measure I have had the honor to report from the Committee on Public Lands proposes a radical and entire change in the present policy of the government respecting its lands containing the precious metals. It provides for vesting the fee in individual proprietors by public and private sale, instead of retaining the title in the government and treating their occupants as tenants at will. It contemplates their survey and subdivision into small tracts, and fixes a minimum price upon them, graded according to size, locality, and mineral value. It prohibits combinations among bidders at the public sales, and the purchase of any lands by foreigners, except those who shall have declared their intention to become citizens. It provides that actual discoverers and workers of mining localities shall have the right to purchase them at the minimum price, and thus relieve themselves from the disadvantage of competing with rich capitalists. It limits the quantity of mineral land, which any single purchaser may buy, to forty acres. It requires that the gold and silver extracted shall be coined in the

mints of the United States, empowers the President to lay off the mining regions into suitable coining districts, and compels miners to have their gold and silver coined in the districts in which they are found. It further provides that every purchaser shall first take the oath of loyalty to the United States prescribed by law, and that the net proceeds of the sales of these lands shall be dedicated and applied to the payment of the principal and interest of the bonds of the United States. This is a brief outline of the main features of the bill; and I propose, in entering upon its discussion, to refer to some preliminary considerations which fairly open the way.

That the present condition of our currency is an unsound one, is a proposition which no man will dispute. That the only safe basis for a financial medium of exchange is coin, may be affirmed as equally true. It is needless to deny this fact or dispute about its philosophy. The civilized world has so adjudged. The question may fairly be accepted as a settled one, that gold and silver constitute the true medium of exchange, and the permanent standard of value. No financial policy therefore can be trusted which does not contemplate a return to specie payment as soon as practicable. This is the opinion of Mr. McCulloch, the able Comptroller of our national banks. He says, "It should be the object of all honorable bankers to expedite, as far as possible, rather than to postpone, a return to specie payments," and that "it must never be forgotten that the business of the country rests upon an unsound basis, or rather is without a proper basis, as long as the government and the banks are not meeting their obligations in coin." Our government securities may be very current to-day, because they are sustained by popular confidence and the tide of fortune which seems to be sweeping away all obstacles to the triumph of the national cause. But this confidence may not be abiding. What we most of all need is such a policy as will sustain popular confidence, even under military failures and a prolonged war; and such a policy must embody the fundamental principle just stated.

But to this end, Mr. Speaker, the *quantity* of the precious metals must be increased. The startling disproportion of gold and silver to other values, and to our commercial wants, must in some way be destroyed or greatly reduced. The property of the United States within the last ten years has increased about nine hundred million dollars per year. This increase is estimated to be more than two hundred times greater than the increase of coin during

the same period. These are very suggestive and significant facts. The growth of our commerce and the issue of paper money and government securities still further complicate our financial condition, and demand, as an absolute necessity, an increase of the quantity of gold and silver. If this is not provided for, the price of coin will continue to advance, and by its effect upon government stocks and prices generally must seriously cripple the prosecution of the war, and most injuriously affect the welfare of the whole country. Here is the real problem of our finances, if not also a problem involving the national life. That we are to crush the rebellion, and that speedily, few men can any longer doubt. Every passing day is demonstrating that our military power is amply adequate to the task it has in hand. Of the questions growing out of the war which yet remain to be settled, the grand one, and by far the most difficult of solution, is that of our finances. How can the further inflation of the currency be prevented, and a return to specie payments become possible, without increasing the quantity of specie? Even should the war be ended within the present year, and permanent peace be restored, the question I am presenting must continue a vital one, demanding the early and most earnest consideration of statesmen.

Perhaps it will be said that increased taxation can meet the financial difficulty. I agree that it may partially do so. If Congress, in the early stages of the war, had known *how to tax*, and had possessed the courage to impose such burdens upon the people as the national exigency demanded, our financial condition would have been incalculably better than we now find it. The price of gold would not have gone up as we have seen it. The great mass of the people, who are interested in stable and moderate prices, would not have been compelled to buy the necessities of life at the enormous and ruinous rates which have resulted from the inflation of the currency, unaccompanied by courageous efforts in the way of taxation to defray the expenses of the war as it progressed. The government, in the purchase of its vast supplies for our grand armies, would have been able to do so at such reasonable rates as to have saved hundreds of millions of dollars, thus husbanding our resources, maintaining the national credit, and insuring the confidence of the people. A system of vigorous taxation, inaugurated early in the year 1862, before the derangement of the currency was made manifest, and steadily maintained since that time, would have saved to the country more than a million dollars per day, thus averting the frightful national debt which has accu-

mulated, and is rapidly increasing through the failure of timely and adequate taxation.

But these legislative mistakes cannot be undone. We are compelled to deal with the present as the past has made it. Congress, within the last three years, has been learning the science of taxation. Our burdens, while they are by no means crushing, are heavy. Undoubtedly we shall be compelled to increase them in any event of the future; but no rate of taxation which any public man will dare propose, or which the people would endure, will help the country out of its financial crisis. Some policy which will secure to the government a fresh and liberal supply of the precious metals will be found absolutely necessary. If, therefore, there is anywhere an available source of revenue yet untouched, by which the burdens of the people may be greatly relieved, and the nation itself rescued from the great financial maelstrom which threatens to swallow it up, it becomes our chosen and highest duty to seek that source of revenue, and coin it into the national service. Sir, I believe it requires no divining-rod to find it, and that all we need, in the words of Mr. Ruggles, is to "uncover the mountains of gold and silver, garnered up by Providence to meet the cost of saving our nation's life."

The auriferous regions of the United States on the western portion of the Continent extend from thirty-one degrees and thirty minutes north latitude to the forty-ninth parallel, and from one hundred degrees of longitude to the Pacific, embracing portions of Dakota, Nebraska, Colorado, New Mexico, Arizona, Utah, Nevada, California, Oregon, Washington, Idaho, and Montana, and covering an area of more than a million square miles. These vast regions are described in official reports as stretching longitudinally and in lateral spurs, crossed and linked together by intervening ridges, connecting the whole system by five principal ranges which divide the country into an equal number of basins, each being nearly surrounded by mountains and watered by mountain streams and snows; thereby interspersing this immense territory with bodies of agricultural lands equal to the support, not only of miners, but of a dense population. These mountains are literally stocked with minerals, gold and silver being interspersed in profusion over this immense surface, and daily brought to light by new discoveries.

According to the Commissioner of the General Land Office, a greater amount of mineral wealth is to be found in the territory of the United States than in all other habitable countries. Before the discovery of the precious metals in California the annual pro-



duction of gold in all parts of the world did not exceed an average of eighteen million dollars. The present annual production in California alone is estimated at seventy million dollars. The Commissioner of the General Land Office, in his report for 1862, estimated the production of gold in that year, in California and the other western gold-bearing regions, at one hundred million dollars; and the Secretary of the Interior, in his report of the same year, estimated that if an amount of labor relatively equal to that expended in California had been applied to the gold fields known to exist outside of that State, the production, including that of California, would have exceeded four hundred million dollars. Taking into account subsequent and quite recent discoveries in our mining regions, and especially in Arizona, I think it safe to say that an annual product of a thousand million dollars might be realized under a just policy, which would at once invite laborers to our Western Territories and reward them by rich returns. I quote the following facts from the official report just referred to:—

“The usual size of a mining claim in the quartz region is one hundred feet on the line of the lode or vein, and one hundred feet on each side, equal to an area of twenty thousand square feet, or say twelve hundred claims to the square mile. Allow that only one hundredth part of the mountain surface is occupied by paying leads or veins, and there will be space for three million six hundred thousand claims. But Governor Evans, of Colorado, estimates the already discovered gold-bearing region of that Territory as affording ample room for eight hundred thousand claims, and states that new discoveries are daily increasing with area. A glance at the map is sufficient to show that the mineral region of Colorado occupies less than one sixth of the whole extent under consideration; but assume it to be one sixth, and there will be ample extent on this basis for four million eight hundred thousand claims, which, if worked, would give employment to twenty million men.”

These pregnant facts, Mr. Speaker, are supplied by the government itself; and yet weighed down with debt, and threatened with bankruptcy and ruin through the scarcity of gold and silver, it has adopted no policy whatever in dealing with our mineral lands, save the negative one of reserving them from sale. The United States have left them open to our people and to the greed of monopolists from foreign countries for the past sixteen years, during which a thousand million dollars have been extracted, without a dollar of revenue to the national treasury. Sir, this is financial profligacy. It is legislative madness. If not repented of, and that speedily, it may end in national suicide. Our system of taxation reaches everywhere, drawing revenue from all quarters, except these prime sources of supply. They are exempt, while every other in-

terest is made to groan under the pressure ; and yet the government, slumbering over its grand opportunity, declines to adopt *any* policy respecting them. It does not sell its mineral lands ; it does not lease them ; it simply abandons them, while owning them in fee, and solemnly bound, as the trustee of the people, and by the Constitution itself, to "make all needful rules and regulations" for their government and the development of their wealth. How long will the people thus sport with their resources, and bear with their public servants who are thus recreant to the public good ?

But assuming that this "let-alone" policy is to be abandoned by the government, the important question remains as to the disposition of these mineral lands. As a saving financial expedient and a wise national policy, what shall be done with them ? This becomes an immediate, practical question. Three several methods of solving it have been advocated, namely, the system of leasing, the imposition of a tax upon the mining products, and the absolute sale of the fee. The two methods first named rest upon substantially the same principle. They both recognize the United States as the perpetual landlord of these vast possessions, and the people who enter upon them as tenants, either for years or at will. They are both at war with our republican institutions. They are both in direct antagonism with the policy of sale, which would utterly divest the title of the government, and vest it in individual proprietors. It is this latter policy which is submitted in the bill I have reported, and which I propose briefly to argue.

The Ordinance of 1785, for the disposal of the lands in the "Western Territory," contained the first reservation of mineral land from sale. Some fifteen years later, authority of law was given for leasing such lands. The folly of our rulers at one time went so far as to provide by law for leasing agricultural lands, and I mention this to show how unsafe it is to make the past action of our government the guide of our steps to-day. In 1807 the power to lease was confined to lead mines. In the Canadian Bounty Land Act of 1816 lead mines and salt springs were excluded from location. Congress, however, by Act of March 3, 1829, conferred authority on the President to expose to sale as other public lands "the several lead mines and contiguous lands in the State of Missouri," under certain specified restrictions ; but with this exception the policy of reserving mineral lands from sale, and of leasing lead and copper mines, continued till the year 1846, when Congress, on the 11th day of July, ordered "the reserved lead mines and contiguous lands in the States of Illinois and Arkansas," and

the then "Territories of Wisconsin and Iowa," to be exposed to sale under certain conditions, the price being not less than two dollars and a half per acre. In the following year Congress ordered the organization of the Lake Superior district in the upper peninsula of Michigan, and the Chippewa land district in Wisconsin, and provided for the sale of lands containing copper, lead, or other valuable ores, at a minimum price of five dollars per acre.

These acts of Congress show how long and patiently the government acted the part of National landlord over its National tenants, the miners of the Northwest. And the experiment failed utterly. The leasing policy drew into the mining regions a population of vagrants, gamblers, and ruffians, excluding sober and intelligent citizens, and making the establishment of organized civil communities impossible. Their houses were mere hovels and shanties. They resisted the payment of taxes on the products of the mines, and killed the agents of the government. The settlement and civilization of these mining regions was not only thus prevented, but neither the national treasury nor the miner was the pecuniary gainer under this policy. The government at length was forced to adopt the policy of selling the fee, when a new class of men took possession of these regions as the owners of the soil, brought their families with them, laid the foundations of social order, expelled the barbarians who had secured a temporary occupancy, and thus at once promoted their own welfare, the real prosperity of the country, and the financial interest of the government.

Mr. Speaker, this signal and very instructive failure of the leasing policy in the mines of Illinois, was preceded by a similar one in the lead mines of Missouri. The government, as already stated, adopted the policy in 1807, and tried it for more than twenty years in that State. Many leases were taken, and great quantities of lead were dug from the mines, but no rents were paid to the government, — "No, not a dollar, not one cent." I quote the words of Colonel Benton in the Senate of the United States, in the year 1823, after the experiment had been tried in his State fifteen years; and I fortify my argument by his high authority. I shall bring to my aid both his facts and his reasoning in discussing the measure I have submitted. "The spirit of tenancy," said he, "is everywhere the same; it is a spirit adverse to improvements, always leaning toward the injury of the property in possession, and always holding back from the payment of rent." The truth of this principle will be universally admitted, and as an argument against the policy in question is unanswerable, and in itself suffi-



cient to demand a totally different system. Every landlord and tenant, whether of mineral or agricultural lands, must admit its force.

Colonel Benton declared that the fruit of this false system has been "injury to the national prosperity, loss to the national treasury, and a resource to foreign powers, to supply us with the articles of which God in his providence has given to us more than He has given to them." He argued that to continue this system would be "to perpetuate the relation of landlord and tenant throughout the vast extent of the mineral districts of the Republic, that landlord being the Federal Government, and holding its domains and a body of tenantry within the limits of a sovereign State." He denied such a power to the Federal Government. "I take my stand," said he, "upon the words of the Constitution, and deny to the Federal Government a power to hold lands in any State, except upon grants made, in cases enumerated, and for the purposes specified in the Constitution. The monarchies of Europe have their serfs and vassals, but the genius of the Republic disclaims the tenure and the spirit of vassalage, and calls for freemen, owners of the soil, masters of their own castles, and free from the influence of a foreign sovereign." The effects of this policy, he said, would be "population retarded, the improvement of the country delayed, large bodies of land held free of taxation, and their elections more or less influenced by the presence of men holding their leases at the will of the Federal Government." He would "deliver up the mines and salines of the Republic to the pursuit of individual industry, to the activity of individual enterprise, to the care of individual interest, guided and sustained by the skill and capital of those who may choose to hold them."

He argued that the government would "find its indemnity in the price which would be paid for them, and in the increased wealth of its citizens, which is in fact the wealth of the government itself. Besides, without a freehold in the soil, the experience of all countries proves that the riches of the mineral kingdom can never be discovered or brought into action. A lessee for years cannot incur the expense of sinking shafts, connecting them by galleries, opening ventilators, constructing hydraulic machines, and building permanent furnaces. And without these labors the mineral riches which lie some hundred feet in the bowels of earth can never be discovered. All this is now proved on the mineral lands of the United States in Missouri. Fifty or sixty mines have been opened, exhausted, and abandoned.



Yes, in the space of a few months a mine is exhausted, while in England mines are now worked which were opened two thousand years ago. The reason is obvious : the English miner having the freehold of the soil, husbands and improves his property, and follows the vein downward even to the distance of two thousand feet. The American lessee can only take what he finds near the surface of the ground. He cannot pierce the rock in pursuit of the descending veins which lead to the great beds of ore below. He can only *pick out the eyes of the mine*, without touching its body ; nor is it possible to tell where nature has deposited her hidden treasures, except by opening the earth to the places where they lie."

In concluding his speech, embodying so much both of argument and fact, and so forcibly expressed, Colonel Benton further referred to the example of England : —

"In the early ages her base metals were considered as too precious for the people, and were reserved as Crown property. Her mines were leased out, and the great tin mines of Cornwall brought the imposing sum of one hundred marks per annum, and the rest in proportion. In the reign of Philip and Mary this policy was changed. The mineral kingdom, by an act of Parliament, ceased to be a monopoly in the hands of the Crown. It was delivered up to the skill and capital and industry of individuals, and the result has been that the iron, lead, copper, tin, coal, and salt of England have carried the wealth and power of the British empire to a height to which the mines of Peru and Mexico could never have exalted her. Let us follow her example, — not the example of her dark ages, but of that enlightened period which has made of a small island in the sea one of the richest and most powerful empires on the face of the globe."

These, Mr. Speaker, are some of the arguments of the great statesman of Missouri, as embodied in a speech delivered in the Senate of the United States forty-two years ago. They did not fail of their purpose ; for, though not heeded at the time, they at length found their vindication in the Act of Congress of 1829, already referred to, abolishing the system of tenancy in Missouri, and subjecting her mineral lands to sale ; and still further in the Acts of 1846 and 1847, inaugurating the same reform in the lead and copper regions of Illinois, Michigan, and Wisconsin. To the extent of this legislation the reasoning of Colonel Benton has prevailed in the policy of the government, and has been fully justified by time. If it be said that the policy of selling the fee of lands containing other minerals than those mentioned has not been tried, I reply that for that very reason there is no fact which can be adduced against it ; and I reply further, that the arguments I have

employed, showing the *principle* of tenancy to be a vicious one, apply as legitimately to lands containing gold and silver as to those containing copper and lead ; to our great Western Territories as well as to regions far less remote. On the other hand, there is one unbroken chain of testimony against the policy of retaining the fee of mineral lands in the government, and dealing with their occupants as tenants, and this testimony must be accepted whether the lands contain the precious or the useful metals, and whether they lie on this or the other side of the Rocky Mountains. On this point fact and argument join hands, and leave that policy totally unsupported.

Mr. Speaker, the sale of our mineral lands is demanded by considerations which appeal, with irresistible force, to the common sense of every man who will allow himself to think. In the first place, it will give security to land titles, and thus necessarily invite into the mining regions a population of permanent settlers, and sober, intelligent, wealth-producing people. This has been shown in the case to which I have already referred of the lead mines of Illinois. It must be remembered that population is not always wealth. It should be permanent, industrious, and able to find its support in the rewards of labor, and the general prosperity which that labor secures. Under the policy which treats miners as mere tenants at will permanent settlements are impossible. No settler can have any security for the claim he may select. He can have no sure protection against its forfeiture. Since he has no better title to the land he occupies than he has to the whole of the unoccupied country around him, he is perpetually tempted to change his temporary habitation. Having no tie of ownership to bind him to the soil, and no permanent improvements on it, he is at perfect liberty at any moment to "take up his bed and walk." Hence it is that our miners are proverbially nomadic. Their unsettled and roving habits will not allow them to accumulate property for themselves, while they contribute nothing to the permanent growth of the country. What Colonel Benton said of the leasing system in Missouri applies, in all its force, to the superficial mining of these wandering tribes, who have no title to the soil. It is madness to hope for revenue to the government or the development of our mineral resources, through the agency of such a population and such a policy ; nor is there any possible remedy, save in the sale of these lands in fee to actual settlers.

The policy for which I plead is urged by kindred and stronger reasons. Under our present system there can be no *homes* in the

mining regions. Where there is no security for land titles, no permanent communities can be established. The miner cannot afford to build him a comfortable house, with substantial improvements around him, because he is simply a tenant at will. His dwelling will be a mere hovel, and every fact of his condition will testify of his transitory character. In a country thus dealt with homes will be exceedingly "few and far between." In fact, a people without substantial habitations, and whose time is largely employed in migrating from place to place, must practically dispense with domestic life. That the proportion of men to women among such a people should be three or four to one is not remarkable, nor should we be surprised that of the few women in the mines of California "a considerable share are neither maids, wives, nor widows." This is the saddest fact connected with our present mining policy. It is a conspiracy against the establishment and sacredness of American homes. It has been said with truth, that the best part of the education of every man and woman is received at home. This is the grand school for virtue. The most precious interests of life belong to it. One of our most gifted American writers says, that just so far as the family is improved, its duties performed, and its blessings prized, all artificial institutions of society, including government itself, are superseded. The family is the foundation of the State, the peculiar institution of God. The government, therefore, should extend its parental wing over it, and guard it as the mother guards the life of her child. My chief quarrel with our existing policy is that it makes the establishment of homes practically impossible in vast regions of our unoccupied territory, which else might be carved up into independent homesteads, and dotted over by smiling habitations. This is the crowning argument against the system of tenancies at will. Under it, civil society, practically speaking, cannot exist in the mining regions. The virtual outlawry of woman forbids it. Public opinion, which in well-regulated communities exerts a wholesome power over the individual, is here unfelt. The better class of miners soon leave the country, while the lower and more brutalized classes are constantly swelled by that law of moral gravitation which draws kindred spirits together. Nothing can arrest the growth and dominating influence of this evil element but the policy of conferring permanent homes upon the occupants of the soil. This will drive out the vicious, the thriftless, the dissipated, as it did in the lead and copper regions of the Northwest, and introduce order, industry, and real civilization in their stead.

With these, the wealth of the mines will be extracted, and, by becoming the subject of taxation, increase the revenues of the government while rewarding the miner for his toil.

The sale of our mineral lands, Mr. Speaker, is to be vindicated by still other considerations. No country can prosper in which land does not become valuable, and increase in value with the increase of population. Our present policy totally overlooks this principle. By denying permanent ownership in the soil, and thus preventing its improvement, it necessarily keeps down its value. While it fails to draw from the mines the wealth which they contain, for reasons already given, it cripples enterprise in this and other directions by depriving capital of the best possible security for its investment. Men will not lend their capital to mining projects when the title to the soil is in the government, and cannot be pledged as security. This non-employment of capital not only retards mining, but keeps idle multitudes of laborers who need employment. Capital, wanting investment somewhere, is sent to New York or to Europe. According to Hittell, to whose valuable and interesting work on the "Resources of California" the public is greatly indebted, forty million dollars a year are shipped from that State because there is nothing to give as security. "We offer to pay," says he, "twice as much interest as anybody else, and our offer would be gladly accepted if there were a certainty that we would pay as we promise; but there is no certainty, no security." Every interest suffers under this false policy. It operates unequally. "The farming districts," says the same authority, "where the inhabitants own the land, pay heavy land taxes, whereas mining claims pay no taxes at all. The result is that the taxation upon the men in the valleys is about three times as heavy as upon those in the mountains. The miners generally have no homes, and no fixed property, and cannot be forced to pay taxes. Most of the mining counties are deeply in debt, and many are growing deeper every year. The only way to equalize the taxation is to sell the mineral lands, and compel the miner to pay a tax upon his mine as well as the farmer on his farm." The justness of these observations will not be questioned; and they will apply to all our mining regions as perfectly as to California.

Mr. Speaker, I have already referred, in my opening remarks, to the question of our finances, and to the singular fact that our mines of gold and silver have yielded no revenue to the government. I have urged the absolute financial necessity of some radical change in our present policy. The exposure of our mineral



lands to sale would not only inaugurate the true policy with a view to the settlement of these lands, and the development of their resources, but would very speedily be felt in its returns to the treasury. The sales could not fail to be large. The spirit of enterprise, of adventure, was never more alive among our people than to-day. The demand for labor, caused by the waste of war, can scarcely be appreciated, and is recasting the judgment of the whole country as to the value of foreign laborers. Immigration is accordingly largely on the increase, and is destined to pour in upon us to an extent unexampled in the past. The arrivals at the port of New York alone last year were one hundred and eighty-five thousand two hundred and eight; and there is no fact which does not look to its increase, at least for several years to come. The rapid settlement of our distant Territories within the past few years, partly attributable to the beneficent policy of our Homestead Law and the tempting discoveries of their precious metals which have been made, are exceedingly prophetic of their speedy population. The Secretary of the Interior, in his report for the year 1862, estimated that at least five hundred million dollars could be realized by the sale of our mineral lands in one-acre lots, after granting to those now engaged in mining a clear title without cost to the lands they occupy. Should they bring only the half, or even the fourth of this estimate, it would furnish an argument of no inconsiderable weight in favor of the policy. The people, undoubtedly, would be glad to have their burdens lightened to this extent, and they will demand it of their servants, if not forbidden by the strongest and most conclusive reasons. If peace now prevailed throughout our borders and the treasury of the government were full to overflowing, as we have known it in the past, I would not urge this consideration. I would apply to our mineral lands the great principle embodied in the Homestead Law, which aims at the settlement and improvement of our public domain as at once the true source of revenue to the government and of prosperity to the country. I agree to the modification of that principle now, and urge it, because of an absolute public necessity which demands that this important source of immediate financial relief shall not escape.

And now, sir, permit me to refer to some of the objections which are urged to the policy for which I plead. The sale of our mineral lands, it is asserted, will place them in the grasp of speculators, who will hoard them up for their own aggrandizement, and "to the prejudice and deprivation of the many." This ob-

jection suggests several replies. In the first place, this horror of land monopoly is shared by men who see no sort of objection to the wholesale monopoly of all our mineral lands by the government. If monopolies are pernicious, as I admit them to be, they are so in principle. Government monopolies are not less so than others. They have often been as much worse as their greater power of evil would permit. The feudal system of the Old World was land monopoly in its glory and fruition, in the crowning luxuriance of its infernal sway over the people, who toiled as its slaves. The theory which insists upon retaining the fee of our mineral lands in the government, and treating the miner as a feudatory, or serf, is of European origin. It is borrowed from monarchical institutions and ideas which we profess to have forsaken, but from which we are by no means yet fully divorced. Our institutions are republican, and our ideas should be democratic, not monarchic. Under the feudal or kingly system government is everything, the subject nothing. Our American ideas, on the other hand, have respect chiefly to the individual, and regard government simply as the servant of the people. Sir, I submit that this popular cry against the monopoly of our mineral lands by speculators does not sound very well in the mouths of those who justify government monopoly, and have not yet been able to emancipate themselves from the anti-republican ideas against which our revolutionary fathers contended. Let me add, that what I now say furnishes a reply also to the argument often urged that the policy of European nations, and of other sovereignties on this Continent, is against the sale of their mineral lands. Our government is a Republic, and the remotest thing possible from a safe precedent for us is the example of governments resting upon feudal ideas, and utterly hostile to the rights of the people.

But I ask, Mr. Speaker, why is there more danger from the monopoly of mineral than of agricultural lands? The monopoly of the latter has undoubtedly been a great evil, yet the government, from the beginning, has parted with the fee to purchasers, and is still doing so. It also sells its lands containing lead, iron, copper, salines, and coal, and I believe the opponents of the measure now proposed offer no objection. Why not extend the same principle to other minerals? True, the intrinsic value of gold and silver gives to them a peculiar relation, and as the representative of values and the medium of exchange they perform a function totally unlike that of any of the merely useful metals. But I am unable to see why this should exempt the lands containing

them from the general policy of sale. As to foreign capitalists, the bill I have reported forbids their becoming purchasers unless they shall have declared their intention to become naturalized. Undoubtedly these lands will be the subject of monopolies, just as will our coal and other lands. This cannot wholly be prevented by any possible legislation, or any failure to legislate. Land monopoly notoriously prevails now in the great mining regions under our present policy of withholding the fee. Capitalists, both foreign and domestic, enter these regions and purchase and monopolize the possessory rights of miners, and will do so in spite of any prohibitions. This is a sufficient reply to all that can be said against the monopoly of the fee of mining lands. I believe, however, the evil of such monopoly will be much less than is apprehended. It is not probable that capitalists would become the first purchasers, or that the richest places would fall into their hands. The men who are on the ground, engaged in actual mining, would secure the best investments, for under this bill they are not required to compete with men who could outbid them. If capitalists buy the lands, they cannot afford to let them remain unproductive. If they should secure enough to be fairly named a monopoly, their own interest would prompt them to develop their riches, and this will bring into the mining regions multitudes of laborers who would find remunerative employment and help develop the wealth of our country.

Another principal objection to the policy of sale is the difficulty of fixing upon a just minimum price. Unquestionably this is a real practical difficulty. A *perfectly* just minimum is impossible; but the same is true of our lead, copper, iron, and coal lands. It is even true of our agricultural lands, as to which there is very great inequality of value. If our lands containing gold and silver are exposed to sale, all we can do is to approximate, as nearly as we can, to a just and reasonable price. The method of doing this is provided for in the sixth section of the bill. The geologist for each land district, for which the bill makes provision, in connection with the register and receiver, is to classify the mineral lands of the district with reference to their value, and the subdivisions necessary to accommodate actual miners, or those who may intend to become such, and report to the Surveyor General and the General Land Office, giving the minimum price of each class, the location and extent of each deposit and of each settlement or mining operation, with the reasons for the facts reported. The Commissioner of the General Land Office then, upon these facts and

reasons, is to fix the minimum, and his decision is to be final. Perhaps this process will secure a price for the lands as nearly just to the government and to the purchaser as any that can be devised. I believe it meets the difficulty; and since the vested rights of miners are protected under the fifth section of the bill, no material injustice can result, either to the government or the purchaser.

Mr. Speaker, there are other and minor objections to which I think I need not refer. They are all met or overcome by the arguments already presented, joined to the palpable folly of further maintaining the present suicidal policy of the government. Nor shall I stop to discuss the details of the bill I have reported, the leading features of which have already been stated. It has been prepared with much care, and with the assistance of some of the ablest men in the country, whose extensive knowledge of our land system gives peculiar weight to their opinions, and who have given to the subject much thought. The policy which it proposes has also the decided approval of many of our most distinguished public characters, including such men as Colonel Benton, Chief Justice Chase, General Fremont, Robert J. Walker, Hugh McCulloch, and Horace Greeley. I may mention also Hon. John Wilson, who so ably presided over our General Land Office years ago, and whose thorough acquaintance with the subject should command great respect for his judgment. I add further, that the most intelligent men I have met from California and other mining regions who speak from actual observation and extensive experience in mining, express the same opinion. Undoubtedly, the bill is imperfect. A measure so revolutionary of past ideas and policy, and dealing with interests so vast and peculiar, must of necessity, to some extent, prove an experiment. I believe it will be a grand one. Holding the principle of the measure to be sound, I would launch it, trusting to time and experience to point out its defects and suggest the needed remedies. I sincerely hope the Thirty-eighth Congress will not close its labors without adding this bill to the list of those great measures which have already signalized its legislation. The passage of the bill will powerfully stimulate foreign immigration, and the settlement of the great Pacific States of the future. By drawing into our mining regions a large and constantly swelling stream of settlers it will demand and necessitate the speedy construction of our great railway thoroughfares to the Pacific, which shall belt the Continent with ribs of iron, and prove themselves the grandest of commercial enterprises and the mightiest bonds of national union. In securing perfect land titles it will



build up permanent settlements, promote a more thorough knowledge of localities, and institute a more profitable system of mining than would otherwise be possible. The establishment of settlements in the mines will lead to the exploration and purchase of the agricultural lands in the valleys, and thus develop their productive power. It will introduce social order, domestic life, fixed habits, free schools, homogeneous communities, and general prosperity, in the place of itinerant and scattered tribes whose condition could best be defined by the absence of all these blessings. It would cement and consolidate the Union, by intrenching the government in the hearts and homes of the teeming millions whose habitations are to be set up in the great empire of States now so rapidly springing into life in the distant West. It would rebuke those feudal ideas to which the government has so long lent its sanction, and recognize the independence and dignity of labor. Holding these views, Mr. Speaker, and embracing them, as I do, with ardor, I have labored with some zeal to awaken among our public men an interest in the subject ; and I shall regard it as one of the many grand and providential compensations of this war if the financial crisis which has been its result shall prepare us to enact this great and far-reaching measure, and thus to lay the foundations of Christian civilization and genuine democracy in the budding Commonwealths of the Pacific.

## DANGERS AND DUTIES OF THE HOUR — RE- CONSTRUCTION AND SUFFRAGE.

IN THE HALL OF THE HOUSE OF REPRESENTATIVES, INDIANAPOLIS,  
NOVEMBER 17, 1865.

[This specimen of a Western stump speech, not intended for publication, but unexpectedly reported for the "Cincinnati Gazette," was reprinted by the friends of Mr. Julian in a large pamphlet edition. The Legislature being in session, the use of the hall of the House was tendered him by resolution; and on motion of Mr. Kilgore, a member from Delaware County, the resolution was so amended as to request Mr. Julian to be very explicit in saying whether he agreed or disagreed with the policy of President Johnson. This will explain certain allusions in the speech. Its line of argument will readily be appreciated by those who will judge it in the light of our subsequent history, and remember the year 1865 as an era of undefined politics, and of hesitation and doubt on the part of many Republican leaders. Even Mr. Julian's own constituents were not prepared for his views. The Radical theory of Reconstruction, which afterward prevailed, was then by no means established; while the rebel theory, whose motto was "Once a State always a State," found a champion in President Johnson. Several prominent Republicans joined him at once, and sought to rally the party in this attempted new departure, and in unqualified hostility to the policy of negro suffrage. Chief among these was Governor Morton, who, in the fall of this year, made his memorable Richmond speech, to the leading positions of which Mr. Julian replies; but his argument, in substance, had been repeated, and with decided effect, in a vigorous canvass of his Congressional district during the spring and summer months. It is needless to add that time has overwhelmingly settled the questions of Reconstruction and Suffrage against the theories of the Johnson Administration and its friends.]

THE meeting having been organized by calling Governor Dunning to the chair, Mr. Julian spoke as follows:—

MR. CHAIRMAN — LADIES AND GENTLEMEN, — Before proceeding to say what I propose to say to-night, I ask leave to make a statement, due to myself and to you. The charge has been circulated, through the press and otherwise, recently, that I have been making speeches inside of my district and outside of it, denunciatory of Governor Morton and President Johnson, and that I have been seeking by factious movements to divide and disorganize the Union party. I think it due to truth to say that these charges are wholly unfounded. I have made quite a number of speeches during the last few weeks, *but in not one of them have I spoken of Governor Morton or President Johnson in any other terms than those of perfect courtesy and respect.* I have differed, to some ex-

tent, with President Johnson, as I understand his policy ; but I have never had a thought of indulging in any unkind words toward him, having known him since 1849, when we first met in Congress and became personal friends through our earnest advocacy of the homestead policy, in which we stood almost alone. I am quite sure that I still enjoy his respect and friendship. Nor is there any truth in the charge that I am seeking to divide the Union party. On the contrary, I have sought by all the means in my power to unite and consolidate that party in my district, in which I have almost exclusively labored. I am sure that my labors have not been wholly fruitless, and that to-day that party is more perfectly united and consolidated there than it ever has been at any previous period of its history.

I ought, perhaps, to make another reference in the outset. I have been invited to address the people here by some prominent citizens of this city, and by some of the members of the Legislature, and this hall has been tendered me for the purpose, subject to certain *instructions*. It was thought wise to instruct me to be very explicit and unambiguous as to whether I agree or disagree with the policy of President Johnson. What will be the penalty of disobedience I am not advised.

I confess I am gratified — I really feel flattered — to find, unexpectedly, that my opinions are of so much moment that the House of Representatives of Indiana have seen fit to pass a resolution calling for great carefulness on my part in their expression. There may have been wisdom in doing this. A man who skulks habitually, and about whose opinions nobody ever *could* learn anything very definitely, particularly on the subject of slavery and anti-slavery as connected with our politics, may properly be *coerced* into plainness of speech ; it may be well enough to smoke him out, and compel him to declare himself unequivocally. Certainly, I have no manner of complaint to make on that subject. I must say, however, that I feel some embarrassment as to the performance of the task assigned me. If the House had told me what, in their opinion, the policy of President Johnson is, I could then have told you precisely whether I agree or disagree with him. But I find that Copperheads, some of the vilest and meanest of them, indorse in unqualified terms the policy of President Johnson. Now, certainly the Union men have not gone over to the Copperheads, and I doubt very much whether the Copperheads have been really converted and come over to us. There is, then, a difference of opinion as to what the policy is. In requiring me, therefore, to say

whether I approve or disapprove, I submit that it would have been proper for you, gentlemen, to have told me what in your judgment the President's policy is.

There is another difficulty. President Johnson himself says his policy is merely an experiment, and perhaps he will abandon it to-morrow. Then of what use would be your bill of discovery filed against me, requiring me to say whether I agree with him or not? These are revolutionary times. Marvelous changes in the opinions of men have been wrought within the past four years. The watch-words of the hour are transition, growth, development. Who can be so infatuated as to single out any present phase of our politics, and seek to stereotype it into a test of any man's political orthodoxy? If it be true that the policy of the President is simply that of referring the whole matter of reconstruction to Congress, then I can say, unequivocally, that I am for it, for I believe, decidedly, that the business of reconstruction belongs to Congress.

Upon the whole, gentlemen, I prefer to go on in my own way, and say what I think, explicitly, as I usually do, leaving each one of you to determine for himself the question as to whether I agree or disagree with President Johnson, and the far more important question whether I am right or wrong in my views.

Let me now invite your attention to some of the dangers and duties of the hour; and I remark in the outset, that the only question that has been absolutely settled by this war is the fact that by numbers and violence we have mastered the rebels. All else is in dispute. Slavery is not certainly abolished. The proclamation of President Lincoln did not pretend to abolish the *institution* of slavery; and even the effect of that proclamation in giving freedom to the slaves in certain districts remains to be adjudicated by the courts. Your constitutional amendment has not yet received the approval of three fourths of the States, which, according to the views of the administration, is requisite to its adoption. The question of loyal suffrage in the South — the great question of the day — is one about which there is a wide difference of opinion, even among loyal men. Do you mean to gather the fruits of this war, or to scatter them to the winds? Shall you reap the rich harvest of victory now within your grasp and ready for the sickle, or allow it to be overtaken by blight? Through the madness of the rebels the way is opened up to this nation to a career of glory otherwise entirely beyond our reach. Shall we slumber over our grand opportunity? There has been no moment, in my judgment, since the beginning of this war, so full of peril



to the nation as the present. I may refer to the testimony of Governor Brownlow, who says the only difference between the rebels of to-day and of 1861 is that a good many of them are under the ground. They are still unconverted, unregenerate, and the thorough reconstruction of government and society in the States recently in revolt can never be accomplished by half-way measures or a temporizing policy.

In my judgment, our first and immediate duty is the adequate punishment of the rebel leaders ; the adequate chastisement of the villains who plunged the Republic into war. This involves the whole question of the contest. Decide it right, and it opens the way to a ready settlement of all the other questions in dispute. Decide it wrong, and it may give to the winds all the fruits of your victory.

I repeat it, this question involves the whole question of the war. For, if treason is not a crime, but a mere difference of opinion, an honest mistake of judgment about the right of a State to secede — if, as Lord John Russell said, it was on the part of the North a war for power, and on the part of the South a war for independence, there being no other question in it ; if the “ New York Day Book ” was right in saying, the other day, that the whole contest grew out of a mere “ misapprehension ” between the North and South, — then our war of four years, in which we professed to be patriots, fighting for nationality and freedom, is an insult to all the ages, a horrid mockery of the Almighty ; and we shall deserve, as we shall receive, the retribution due to our transcendent guilt. If, however, treason is a crime, and the highest of all crimes, including in it all lesser villainies, so that the rebels in compassing it had to run over the whole gamut of devilment and mischief, ending their career in an infernal leap at the nation’s throat ; why, then, at the end of this war you ought to make a fit example of these traitors, and thus render a repetition of their crime difficult in the future.

Suppose a man were to come among you to-night, and could persuade you that treason and loyalty are about the same thing ; that right and wrong are convertible terms ; that the difference between virtue and vice, good and evil, is “ all in your eye ; ” that God and the devil are the same personage under different names, and that it does not matter much under whose banner you fight, — suppose he could thus persuade you to uproot the foundations of morals, society, government, of everything sacred in heaven or on earth, — would he not be the most execrable creat-

ure in the universe? If he could indoctrinate you and the world with his ideas, he would convert this beautiful earth of ours, "wrapped round with sweet air and blest by sunshine," into a first-class hell, and the devil would be king. My friends, you dare not trifle with this question of the adequate punishment of rebels. You take the murderer here in Marion County, you indict him, try and convict him, build a gallows and hang him; and the world says amen. The pirate, "the miserable pickpocket, boards a vessel on the sea, murders a few sailors, steals a few bales of cotton, and the civilized world chases him to the gallows," as unfit to live. But Jeff Davis is not an ordinary assassin or pirate. He did not murder a single citizen, but he murdered in cold blood hundreds of thousands of men; he didn't board a ship on the sea, and murder a few sailors, but he boarded the great ship of State, and tried by all the power of his evil genius to sink her, cargo and crew, with the political hopes of the world forever, into the abyss of everlasting night! And his guilt is as much greater than that of an ordinary assassin as the life of a great Republic is greater than the life of one man. Each one of these leaders was a national assassin, with his dagger in his hand, aiming it at the nation's vitals; aiming to plunge it into the white breast of the mother who bore him, and nurtured him from infancy; and his guilt is to be multiplied and compounded by the millions whose interests were put in peril.

Suppose you were to indict Jeff Davis to-night, as our fathers indicted George III.; the indictment, in substance, would be about this: He has murdered three hundred thousand of our soldiers; he has mangled and maimed for life three hundred thousand more; he has duplicated these atrocities upon his own half of the Union, and upon his own miserable followers. He has organized great conspiracies here in the North and Northwest, to lay in rapine and blood the towns, and villages, and cities, and plantations of the whole loyal portion of the land. He has sought to introduce into the United States, and to nationalize on this Continent, pestilence, in the form of yellow fever; an enterprise which, had it succeeded, would have startled Heaven itself with the agony and sorrow it would have lavished upon the land. He has put to death, by the slow torture of starvation in rebel prisons, sixty thousand of our sons and brothers. He has been a party to the assassination of our martyred President. He has poisoned our wells; planted infernal machines in the track of his armies; murdered our wounded soldiers; boiled the dead bodies of our boys

in cauldrons, and sawed up their bones into jewelry to decorate the God-forsaken bodies of his rebel followers. He has hatched into life whole broods of villainies that are enough, it seems to me, to make the devil himself turn pale at the spectacle. He has done everything that a devil incarnate could do to let loose "the whole contagion of hell," and convert the earth into one grand carnival of demons.

But, gentlemen, we have caught him. By the providence of God, and through the vigilance of your soldiers, he is in your power to-day. Now I would indict him, and pay him the compliment of a decent trial according to the forms of law. I would convict him, and then build a gallows and hang him, in the name of God. Talk about mercy to Jeff Davis! Why it is not in the dictionary! It is like the Constitution in relation to the rebels, who have sinned away their rights under it by treason. It has ceased to exist, as to him. When you ask me to exercise mercy at the expense of justice, I decline. I know nothing about mercy when you can only reach it by trampling justice under foot. I don't ask vengeance. Davis has committed treason, and the Constitution demands his punishment. In the name of half a million soldiers who have gone up to the throne of God as witnesses against "the deep damnation of their taking off"—in the name of your living soldiers—in the name of the Republic, whose life has been put in deadly peril—in the name of the great future, whose fate to-day swings in the balance, depending on the example you make of treason, I demand the execution of Jeff Davis. And inasmuch as the gallows is the symbol of infamy throughout the civilized world I would give him the gallows, which is far too good for his neck. Not for all the honors and offices of this government would I spare him, if in my power. I should expect the ghosts of half a million soldiers would haunt my poor recreant life to the grave.

And I would not stop with Davis. Why should I? There is General Lee, as hungry for the gallows as Davis. He is running at large up and down the hills and valleys of Old Virginia, as if nothing at all had happened; and lately I have heard that he has been offered the presidency of a college; going to turn missionary and school-master, I suppose, to "teach the young idea how to shoot!" At the same time, as we are informed, he is to write a history of the rebellion. Gentlemen, I would not have him write that history. I would have it written by a loyal man, and I would have him put in a chapter giving an account of the hanging of Lee as a traitor. What right has Lee to be running at large, while

the government thus confesses that treason is no crime? What right has he to be any place, without repentance, except in the ninth, or lowest hell, where Dante says all traitors are found? What right have you to cheat the Constitution out of his neck? I notice that Wirz, some days before he was hung, sent for a copy of "Baxter's Call to the Unconverted." I would give Lee a copy of the same book, but I would let the gallows have him, and leave God to determine what should be done with his soul.

Nor would I stop with Lee. I would hang liberally, while I had my hand in. I would make the gallows respectable in these latter days, by dedicating it to Christian uses. I would dispose of a score or two of the most conspicuous of the rebel leaders, not for vengeance, but to satisfy public justice, and make expensive the enterprise of treason for all time to come. I wish we could hang them to the sky that bends over us, so that all the nations of the earth might see the spectacle, and learn what it costs to set fire to a free government like this. If these men are not punished, and you allow the infernal poison to sift itself down into the general mind that treason is no crime, in a little while we shall be shaking hands with our dear Southern brethren, the government may get back into its old ruts, and another horrid war may be the harvest of our recreancy to our trust.

But suppose you were to hang or exile all these leaders, — for if you don't hang all of them you should put them out of the way, — your work, then, is only just begun. You ought, in the next place, to take their large landed estates and parcel them out among our soldiers and seamen, and the poor people of the South, black and white, as a basis of real democracy and genuine civilization. Why, yonder is Bob Johnson, of Arkansas, an arch rebel leader, who owns forty thousand acres of rich land; enough to make four hundred farms for so many industrious loyal men. I would give the land to them, and not leave enough to bury his carcass in. And yonder is Jake Thompson, one of old Jimmy Buchanan's beloved, and beautiful, and blessed disciples; the man who stole our Indian bonds, and who is so mean that I could never find words to describe him. He owns forty thousand acres or more, and I would take it and divide it out in the way mentioned. The leading rebels in the South are the great landlords of that country. One half to three fourths of all the cultivated land belongs to them, and if you would take it, as you have the right to do, by confiscation, you would not disturb the rights of the great body of the people in the South, for they never owned the land. I had the honor to propose, in a bill I



introduced into the last Congress, this identical thing. It has passed one House by a large majority, but has failed thus far in the other. If you don't do something of that kind, you will have in the rebel States a system of serfdom over the poor almost as much to be deplored as slavery itself. Rich Yankees will go down there, — and I don't want to abuse the Yankees, for they have made this country what it is ; but there are Yankees who believe that the almighty dollar is the only living and true God, and it is said some of them would wade into the mouth of hell after a bale of cotton. I don't know whether that is so or not, for I have never seen it tried. But there are men who would go down and buy up these estates, and establish a system of wages-slavery, of serfdom over the poor, that would be as intolerable as the old system of servitude. You would have the state of things in Mexico repeated, where one man owns land enough to make a State as large as Rhode Island ; or in England, where one man can mount his horse and ride a hundred miles to the sea on his own land, and where all the land is owned by one five-hundredth part of the population. The most degraded class of people on the face of the earth, almost, are the English agricultural laborers, — sunk so low in the scale of civilization that you can compare them to nobody so fitly as to the sand-hillers and clay-eaters of South Carolina and Georgia, whom even the negroes look down upon and call "poor white trash."

You see, gentlemen, why it was that England built and furnished the rebels with iron-clads and other means of warfare. She knew the success of the North would be the prelude to the overthrow of her landed system. She knew, in the language of Thomas Carlyle, that the success of the Union cause in this country would send England to Democracy on an express train ; and it will, if we are faithful. She is on the brink of a volcano that threatens to swallow her up. Any one of these mornings the landless laborers of England may rise up under some bold captain, and march to the gates of power and *demand* a home upon the soil, and a ballot with which to defend it ; and they may drench that land in blood if their demand is not heeded.

Do you want to see her condition reënacted in those fair regions of the South? No, you want no order of nobility there save that of the laboring masses. Instead of large estates, widely scattered settlements, wasteful agriculture, popular ignorance, social degradation, the decline of manufactures, contempt for honest labor, and a pampered oligarchy, you want small farms, thrifty tillage, free schools, social independence, flourishing manufactures and the arts,

respect for honest labor, and equality of political rights. You can lay hold of these blessings, on the one hand, or these corresponding curses, on the other, just as you please. Those regions are in your plastic hands, to be cursed with evils or crowned with blessings for all coming time. Do your duty in this golden moment, and the hills and valleys of the South will lift up their voices in thankfulness to the Author of all good for their new birth and glorious transfiguration; and the people of the South and the people of the North will become again one people, united in patriotic aspirations for their common country.

But suppose you have hung or exiled the leaders of the rebellion, and disposed of their great landed estates in the way indicated; your work is then only half done. Without something else, you will fail after all to reap the full rewards of your sufferings and sacrifices. In order to complete your work of reconstruction, you must put the ballot into the hands of the loyal men of the South; and this makes it necessary for me to talk about this negro question a little. I am sorry about this, for you know how gladly I would avoid that subject if I could. I hardly ever allude to it in my speeches unless it gets right in my way, and then I only take it up to remove it, so that I can get along. I warn you, however, not to get excited at what I am going to say until you know what it is; for maybe none of you will disagree with me, and it is not worth while to anticipate trouble. Let me say to you, too, by way of quieting your nerves, that I won't preach in favor of black suffrage to-night, nor white suffrage. All that I want is *loyal* suffrage, without regard to color. Now, that is a fair proposition. I will tell you another thing, by way of consolation; I won't preach any of my "radicalism" to-night; I won't urge any of my fanatical notions. The fact is, I have got to be a Conservative lately. I wish simply to present some of the old conservative doctrines of the founders and framers of the Republic, — men whose memories you all revere, and whose counsels you will be glad to accept if you are loyal; and everybody is loyal now, or ought to be.

During the War of the Revolution, that primitive era of the nation's life, that golden age of public virtue and private, as we are accustomed to regard it, negroes voted in all the States or colonies of the Union, except South Carolina, — poor, sin-smitten, Heaven-forsaken spot, that might have been sunk in the sea forty years ago without material detriment, and without, in my opinion, disturbing Divine Providence in his manner of governing the world. In every one of the States, except South Carolina, the

negroes had the right to vote, and in most of the States, exercised the right. Washington, and Jefferson, and Jay, and Hancock, and Hamilton, every year went up to the polls and deposited their ballots where the negroes did theirs, and I never heard that they were defiled, or that the Union was particularly endangered. They stood up for the equal rights of all free men at the ballot-box, without respect to color. And after the War of the Revolution was over, you remember that they had to go to work to reconstruct the Union, just as you propose to go to work to reconstruct your Union. Under the old Articles of Confederation there was no bond of union except that of patriotic sympathy, and the dogma of State Rights came near "playing the devil" with them. Each State could do as it pleased. At the end of the war they were compelled to go to work and make "a more perfect Union," and in this work of making a better Union the free negroes had the right to vote in all the States except South Carolina. And afterward they voted under Washington, Adams, Jefferson, Madison, Monroe, and Jackson. In five of the New England States, and in New York, they have been voting ever since. In Pennsylvania they continued to vote until 1838; in Maryland and Virginia they voted until 1832 or 1833; in New Jersey until 1839 or 1840; and in North Carolina and Tennessee until 1835. Some of my North Carolina friends here will remember that George E. Badger was elected to Congress by negro votes; John Bell, of Tennessee, also; and old Cave Johnson, on one occasion finding that he was about to lose his election, emancipated about fifteen or twenty of his own slaves, and they went up to the polls and elected him to Congress. Now I have thought that as the negroes are now all free down there, we might extend this Democratic precedent a little further. Even Andrew Jackson, old Hickory himself, — who was a good Democrat in his day, though he would not pass muster now, — the old hero who praised the negroes for fighting so well under him at New Orleans, and who ever afterwards enjoyed their gratitude and respect, — when a young man, called on the negroes to help elect the legislature which afterwards gave him a seat in the Senate of the United States; and I think if old Jackson could do *so naughty* a thing as this it would not disgrace a Copperhead to have a few negroes vote for him, if they were so crazy as to vote on that side!

And the word "white" that you have got to putting into your laws, is a latter-day device. During a good many years of the nation's life this word was not in your laws of Congress, terri-

torial bills, nor State codes. Washington and Jefferson, I am satisfied, believed as I do,—that the negro himself would have been born white if he had been consulted. He came into the world under the best possible circumstances he knew how; and they never dreamed of the ineffable meanness of stripping a man of his political rights simply on account of the color of his skin. It was reserved for latter-day Democrats,—the horse-stealing, slave-breeding Democrats of a comparatively recent period. When they got hold of the ropes of the Republic and were running it to the devil, and the Slave Power owned us all, the word “white” was incorporated into your laws; and inasmuch as this hatred of the negro race caused slavery, and inasmuch as slavery, which caused the war, has been abolished, at great cost of blood and money, would it not be a good idea, some of these days when you have nothing else to do—say some Sunday afternoon for instance,—for you all to sit down and see if you cannot purge your hearts of this unchristian and unmanly hatred of a race? I merely make the suggestion for you to think about. But the point I wish you to keep in mind is, that I am preaching none of my radicalism at all. If you would give the ballot to the negro in the revolted States you would be simply following in the footsteps of the framers of the government,—returning to that old policy, the abandonment of which has brought upon us all the desolation of war.

But I would give the ballot to the negro for another reason. We called upon him to help us, and he has helped us. We tried with all our might to save the Union, and to save slavery with it. We had got it into our heads that the stars of our flag were for the whites, and the stripes for the blacks; that there was some sort of Siamese union between freedom and slavery, rendering them one and inseparable; that we had to save the Union, but that we must also save slavery with it; and our partnership with Satan came near ruining our cause. The fact is, men never make bargains with the devil without getting cheated. So it was with us; we repudiated the divine counsel for nearly two years of the war, and when at last we concluded to deal justly,—when the question became one of salvation or damnation to the white man; when the Union was about to perish in the red sea of war, into which our guilt and folly had tumbled it, we called on these wronged people to help us. They fought side by side with our white soldiers, fighting so well that our generals praised them for their bravery and endurance. You remember that Father Abraham in his message told you that without the help of the negro



population the Union would have perished ; he frequently said that without striking at slavery and arming the negroes, foreign intervention and war would have been inevitable. Has it never occurred to you, when denouncing the negro, that perhaps the nation lives to-day, and did not perish, because of those black auxiliaries you called into the service ?

In traveling over the country I frequently hear some slimy, sneaking Copperhead saying, "Damn the nigger !" when not more than two years ago that same Copperhead might have been seen perambulating the country, hunting up a negro to stand between him and the bullets of the rebels, and save his cowardly carcass from harm. We have had in the service 160,000 black soldiers, and they enabled that many white men to stay at home and raise supplies for the army. The Copperhead hunted his black substitute, found him, hired him to go ; he went, fought like a hero, rushed into every ugly gap of death his commander told him to enter, and now, on his safe return, the Copperhead looks down upon him and says, "Damn the nigger ! — go back to your old master, I am done with you !" Is this a specimen of your magnanimity and manhood ?

My conservative friends say to me, "Is it not strange that the *soldiers* are against negro suffrage in the South ?" Gentlemen, I know of no question of negro suffrage connected with our national politics, except as between the loyal negro, and the white rebels of the South. Now, I ask you, have you a soldier among you who hates the loyal negro who fought for his country more than he hates the white rebel who fought against it ? or who, if the ballot is to be given to the one or the other, would give it to the white rebel in preference ? or who, if the ballot is to be given to the white rebel, would not checkmate him by giving it to the loyal negro at his side ? Have you any civilian among you who would espouse the cause of the white rebel in the cases I have supposed ? If you answer these questions in the negative, then you are with me on the question of negro suffrage.

Gentlemen, when, two or three years ago, the government decided that the negro was fit to carry a gun to shoot rebels down, it thereby pledged itself irrevocably to give him the ballot to vote rebels down, when it should become necessary. And the nation never can go behind that act. If, after calling on the negroes to help save the nation's life, it could hand them over to the tender mercies of their old tyrants, the nation would deserve to perish for its wickedness ; and it would. So heaven-daring an act could not

be perpetrated in this land without receiving the retribution it would merit. Negro suffrage in the South is a chapter in the history of this contest as sure to come as was the arming of the negro, and you who oppose it would do well to stand out of the way, for it will sweep over you as remorselessly as would the tides of the sea.

But I would give the negro the ballot for another reason. Before the war broke out, the South, on the basis of its negro population, had eighteen members in Congress. Now they will have twelve additional members, or thirty in all, based upon a population that is dumb. Subtract from the white population in the South those that have been killed during the war, and that have been disfranchised since, and it will not much exceed one third of the whole population; that is to say, one white rebel will count equal to three loyal men. I always thought it bad enough for one rebel to count equal to one loyal man, but when you establish this trinity in unity at my expense I must kick against it.

Let me refer to a still stronger case. According to the census tables, there is a district composed of six counties in the State of Mississippi, containing a population of a hundred thousand people, three fourths of whom are black. If these negroes are disfranchised, twenty-five thousand white rebels will count equal to the hundred thousand white people in the Fifth District of Indiana. The vote of one Mississippi rebel, who ought to have been hung before to-day, will count equal to the votes of four loyal men in my district—four soldiers of the war, who have fought three years in the country's service. Are you safe under the operation of a provision so iniquitous as this? It not only disfranchises the negro, but it disfranchises you. If one rebel's vote can equal the votes of two white men, it disfranchises in effect one of them. It is a two-edged sword: it strikes the negro in one direction, and in the other it strikes you.

If you tolerate this principle, if you don't give the negro the ballot, another consequence will come, and that is the repudiation of your debt. The rebels have contracted a debt of some two thousand millions of dollars in trying to whip us; and we have contracted a debt of more than two thousand millions of dollars in flogging them. If you hold their noses to the grindstone, as you ought to do, every dollar of their rebel debt is gone, and you will compel them to help pay our debt. They will hate that confoundedly, and will agonize day and night to find some way of escape; and they will not be slow in finding it. They are as unconverted

to-day as ever, as I have proved by Parson Brownlow. They hunger and thirst for an opportunity to join hands with their old allies at the North; and these allies, who only a year ago got up secret Orders to murder you and usurp your State government — most of you know them, — are ready to join hands with their old masters. A small sum of money will buy Copperheads in Congress enough to give back to the South her ancient domination in the Union; and then they will repudiate our debt, and saddle upon your shoulders their debt, rendering us all the most pitiful vagabonds that were ever turned loose upon the world.

Now, you white capitalists, who don't love the negro, but do love money, whether you are willing that this state of things shall come about or not, it will come, unless you provide against it. You can save the country from this financial maelstrom simply by dealing justly with the negro.

If you don't give the ballot to the loyal negro, and do give it to the white rebels, these latter, hating the negro to-day more than ever, by every memory of their humiliation, will make laws depriving him of his testimony in the courts, of the right to sue, of the right to own or hold real estate, of the right to assemble for deliberation on their own affairs; thus making him sigh for the old institution of slavery as an alternative. In spite of all constitutional amendments that can be adopted, those States can do these things if only white men with rebel hearts are permitted to vote. The final result would be, that the millions of emancipated blacks would decline to be made slaves again. They would rise up in an insurrection such as the world perhaps has never seen. And we would be liable to be called upon to go down and cut the throats of those loyal negroes who saved the nation's life, at the bidding of rebels who plunged the country into war. I would not like to be invited to an entertainment of that sort, nor would you. If you would prevent the necessity for it, unite with us in giving the ballot to the loyal negro in the South.

I would give the negro the ballot for another reason. Taxation and representation ought, on principle, to go together. Our fathers fought for that principle seven years. Their title to glory and fame rests on the fact that they successfully denied the right of England to make laws for those who were not represented in the law-making power. Without this the revolutionary drama would be Hamlet with *Hamlet* omitted. You cannot deny the democracy or the republicanism of that principle, and you cannot decline to extend it when such a grand opportunity is offered. If

you may disfranchise four millions of negroes to-day, you may disfranchise two millions of Irishmen to-morrow, and three millions of Germans the next day, and the laboring many, the "filthy operatives," the next. You will soon have erected on the ruins of the Republic of your fathers an absolute despotism over the whole land. It is policy not to make this false step. Suppose you were to make a law disfranchising all the Germans, or all the Irish, or all the short men, or all the tall men in Indiana; they would give you a hundred times more trouble than if you were to give them their rights. It would tax all the cunning of your rulers to keep them down and preserve peace. Wherever there is a downtrodden race clamoring for its rights, the best possible thing to be done is to give them a voice in the government. They will then feel, even if things don't go just to suit them, that their grievances are self-imposed, and that they can help remove them at the next election. Such a policy will make every man a column of strength in support of the public edifice, instead of an element of weakness and a source of danger.

I would give the negro the ballot for another reason, and that is, that every rebel in the South, and every Copperhead in the North is opposed to negro suffrage. If there were no other argument than this I would be in favor of negro enfranchisement. When you know a man to be in sympathy with, and doing the works of the devil, have you any doubt as to whether or not you are on the Lord's side in fighting him? And when you hear the rebels of the South and Copperheads of the North denouncing negro suffrage, can't you swear you are right in favoring it, without the least fear of a mistake in your oath?

But there is an objection to the proposition to which I wish to call your attention. It is said that the negroes are unfit to vote — that they are too ignorant; and I have heard it said that they need a probation of ten or twenty years to prepare them for the ballot; that they must have time to acquire property, knowledge of political rights and duties, and then it will do to give them the ballot. I don't understand that argument. When you commit the negro to the tender mercies of his old tyrant, who proceeds to deny him all the advantages of education, the accumulation of property, and all social and political privileges, how soon will he become prepared for the ballot? You might as well talk about preparing a man to see by punching out his eyes; or preparing him for war by cutting off his feet and hands; or preparing the lamb for security by committing it to the jaws of the wolf. If you want to prepare the



negro for suffrage take off his chains, and give him equal advantages with white men in fighting the battle of life. Don't charge him with unfitness, until you have given him equal opportunities with others. Gentlemen, who made them unfit? I think it was the rebels. They enslaved them, degraded them, brutalized them, made them what they are; and after their wickedness has brought on this war, and they are mastered, and the question of restoring government to the South comes up, then the rebels complain of the *unfitness* of the negroes to vote! They made them unfit, and "No man," says the legal maxim, "shall take advantage of his own wrong." Are you going to be very nice or fastidious in selecting a man to vote down a *rebel*? Must you have a perfect gentleman and scholar for this work? I think the negro just the man. I would not have a better, if I could. Of all men he is the most fit.

The rebel, I know, won't like it. It will hurt him to make his bed on negro ballots. He will get mad enough to explode, almost. Shall I pour out my tears over his sorrows? I will save my tears for a more fit occasion. He sowed the wind, let him reap the whirlwind. He is the architect of his own fortune; let him enjoy it. It is ordained by Providence that retribution shall follow wrong doing. Are you going to rush between the rebel and the consequences of his infernal deeds? Let him reap as he has sown. For one, I have too much to do to vex myself about how he will fare under negro ballots. I am sure he will get along as well as he deserves, and I prefer to leave the whole matter with the negro, as the tables are at last turned in his favor.

But what is fitness to vote? It is a *relative* term. Nobody is *perfectly* fit to vote. I have never seen a man that was. A man would have to know all about constitutional law, the difference between State Rights and National Sovereignty, all about political economy, all about the duties of the citizen, all about a thousand things as to which wise men differ. He would have to be an angel, or a god. If you will find such a man, I will set him to voting. He will see, exactly into the right and wrong of every question; he will be a good deal more infallible than the Pope. But nobody I have seen fills that bill. We are all more or less unfit to vote, and to discharge all our duties. That is all you can say about it, and if you were going to get up a scale of knowledge and virtue from zero up to one hundred, I would be totally at a loss to find the point of demarcation below which nobody should vote, and above which everybody might vote. I would have to make a slid-

ing scale at first, and then I would probably throw it away and let every man vote who was loyal and of proper age. The truth is, *fitness belongs not so much to individual men, as to aggregate manhood*. Who was it that saved your country during this war? Was it the wisdom of your President, of his Cabinet, or of Congress, or of our great statesmen? Why, they all blundered, and you know how often, all the way through. You furnished the government with the men, and the money, and the brains. It was your aggregate, practical, *common sense* that inspired your rulers at Washington with the policy which saved us. It is the people of the United States who are the saviors of the Union. Somebody has said that the English Parliament is wiser than any man in Parliament. Your Congress is wiser than any man in Congress; the nation is wiser than any select few in it, who might be presumed to know it all, and who would "run the machine into the ground" so quick that you would be glad to get back to a government of the people, *by* the people, *for* the people. As your poet Longfellow has said, —

"It is the heart, and not the brain,  
That to the highest doth attain."

Show me a man whose heart is right, and he will do to trust all the time. The negro's heart has been right all through this war; true as the needle to the pole. He never betrayed a trust; always knew the difference between a gray coat and a blue one; always knew the difference between treason and loyalty; and that is more than Jeff Davis has found out to this day, with all his knowledge.

It is true, the negroes cannot read or write much; perhaps not one in forty or fifty of the field hands can read or write. The same, if not more, is true of the "white trash." When you talk about disfranchising the negro because he can't read or write, you ought to apply your philosophy elsewhere. You have half a million white men in the Union marching up to the ballot-box every year who cannot write their own names. I believe that one ninth of the adult people in Indiana can neither read nor write. You don't propose to disfranchise them. The best educated country in the world is Prussia; everybody there is educated; and yet in Prussia, where you would suppose education had made free institutions, nobody votes, and the government is despotic. Education is not freedom. It does not, necessarily, fit any man in the world to vote. If it did, you ought to set Jeff Davis and the rebel leaders to voting every day, and disfranchise both white and black who can-

not read and write. But if you did you would soon have another war on your hands. The test will not do. I recently wrote a letter to a Friend, waited for an answer, but didn't receive any. After a couple of weeks he came to me with the letter, saying, "I wish thee would read thy letter. I can't make it out. Thee can't write." The fact is, I never could write very well, and the rule would disfranchise me, perhaps. Yet I might be perfectly fit to vote, and you might be able to write very neatly, a hand perfectly lovely to the eye, and yet be a miserable Copperhead, wholly unfit for the ballot. Reading and writing are purely mechanical operations.

My friends, the true way to fit men for voting is to put the ballot into their hands. That's the way to get at it. Suppose you want to teach your boy how to swim, and you won't let him go into the water for fear of drowning; he must stand on the land and go through the motions. How long, on a reasonable calculation, would it take to teach him to swim? You want to teach these ignorant whites and stupid negroes how to vote. The first thing you have to do is to put the ballot into their hands. How can a man vote without a ballot? How can he cast a ballot if no man gives it to him? Give the ballot, and the negroes will say to themselves, "Now we are invested with power in the government; we have a voice in deciding these great questions; we must read the newspapers, and inquire of our neighbors who know more than we do." In this way they will learn something about politics, and how to vote intelligently. This is the true Democratic idea; and until this negro question came up there never has been any test of fitness suggested, except that of age and sex. No precise standard of knowledge or virtue has ever been hinted at by the Democratic party or anybody else, till the Know Nothing movement afflicted our politics.

Sir, I believe in the fitness of the people to govern; and if you were to present to me the alternative of disfranchising a half million of our people, or of giving the ballot to a half million who have it not, I would give the ballot. In the one case I would open a vein that might bleed the Republic to death; in the other, I would multiply the sources of public safety. I believe, religiously, in Democracy; in the fitness of the whole people to take care of the welfare of the whole people; and while I would urge universal education, I would urge universal suffrage.

But I am told that the negroes will vote as their masters want them to. Do you believe it? Suppose they would, nobody would

be badly hurt; the matter would be no worse, for they all vote now through their old masters. But if half of them should vote the Abolition ticket, then half the rebel power would be destroyed; if three fourths of them, then three fourths of their power would be gone. But would they vote with their old masters? They didn't *fight* with their old masters. You said if we put arms into their hands they would shoot at us. They have never shot in the wrong direction yet. They knew exactly how to point their guns and bayonets; and if they had brains enough to know that, how could it happen that they would become, all at once, so oblivious as not to know how to cast a ballot as well as a bullet? Did you ever know an Irishman so stupid as to vote the Know Nothing ticket? You may take the lowest specimen having the animal figure of a man, and you cannot make him vote anything but the *Democratic* ticket. I believe it is possible the negroes might be persuaded to vote the *Abolition* ticket, considering the way they have been fighting. Why, every South Carolinian would be preaching negro suffrage with me to-night, if he thought the negroes would vote as he wanted them to. Doubtless they would sometimes vote wrong. When I remember that the slaveholders have been sharp enough to make fools of our wise men, have taken our great statesmen and molded them and licked them into the shape they wanted them, I admit that some of these stupid negroes might be induced to vote their old masters' ticket. But would that be the first time men have voted wrong? In my political experience I have absolutely seen *white* men vote on the wrong side! Haven't you? I understand that even Democrats have voted wrong. To tell the whole truth, I believe it was Democratic voting, under the party lash, and in the interest of an institution alien to your welfare, bad, devilish, *white* voting, that voted this country to the gates of death, by plunging it into this war. Why, the Copperheads are the last men in the world to reproach the negro with being unfit to vote. If the government should last a million years, no possible result of negro voting could be much worse than this result of Democratic voting for the last twenty years. I have known Republicans to vote wrong; Abolitionists, Free-soilers. I have voted wrong several times myself, and I am sorry for it. We all make mistakes, and we may all profit by our blunders. Could not the negro profit by his experience as well?

But it is said there is a way of avoiding this negro question by an amendment of the Constitution limiting representation in Con-



gress to suffrage ; and then the rebels, in order to get back their power, will themselves give the ballot to the negroes. This has been preached by respectable men and newspapers all over the country, and it has deluded more men than any sophism I have encountered this year. You cannot, in President Johnson's opinion, amend the Constitution without three fourths of the States concurring, and these eleven rebel States, being more than one fourth, would not concur. And if you could thus amend the Constitution, it would take three or four years to accomplish it. But this question of suffrage and reconstruction is upon us, and will not wait. It meets us in December. Besides, the late slaveholders would as soon rush into a fiery furnace as to give the ballot to the colored people. The leading men among them declare they would rather die than do it. It would be to Yankeeize and abolitionize the whole South. True, it would give back to the section her thirty voices in Congress, but they would be sent there by the Yankees and negroes and abolitionists, who would see the old slave dynasty in "kingdom come" before they would see it restored. The whole idea is pure practical nonsense. The slaveholders could always have increased their power in Congress by simply giving freedom to their slaves ; but they loved their domination over the negro more than they loved political power, and even plunged the country into war in order to eternize their institution. The amendment to the Constitution, as proposed, would be proper, and I shall vote for it ; but I would rather extend suffrage to representation, than reduce representation to suffrage. The latter, as a solution of the suffrage question, is utterly futile. It is simply an attempt to shuffle from our own shoulders a plain duty, and saddle it on to the rebels who never would perform it.

But it is said that if we give the negroes the ballot in the South, we will have to give it to those in Indiana. Gentlemen, if Indiana had gone out of the Union, and we, in trying to whip her back, had been compelled to call upon the negroes to help us, and when we had whipped her into the Union we had not been strong enough to hold her there without the *ballots* of the negroes, you would have the case I am arguing as to the South. But if you secure equal rights and equal advantages to the negro, in the reconstruction of the South, under this inducement to our colored people to return to their sunny home, the question of negro suffrage might never come in Indiana. If it should come, I will be in favor of taking it up and dealing with it upon its merits. I am for taxation *and* representation, everywhere throughout our coun-

try. But this question belongs to you, gentlemen of the Legislature, and Congress cannot touch it. Let me beg of you not to confound together very different questions. I confess and deplore the conduct of Indiana toward her colored people; but if our Black Laws were a thousand times blacker, it would be none the less my duty to the nation to plead for negro suffrage in the South. I do so not exclusively on the ground of humanity, or of justice to the negro, but on the more immediately imperative ground of national salvation. I feel sure that the country cannot be saved, and the fruits of our victory garnered, if the governing power in the South be committed to the hands of the rebels. Let us settle this great national question, and then we shall be better prepared for minor ones. My conservative friends are grieved because I do not demand immediate negro suffrage in Indiana as my "one idea." I am always glad to please these friends, and I am naturally amiable, but I must beg leave in this case to decline acceding to their wishes.

Gentlemen, another objection I have heard to negro suffrage is that they will hold all the offices in the South; that the whites there will leave, and we shall no longer migrate there; that that region will grow blacker and blacker, electing negro judges, negro governors, negro congressmen, etc., till the finale will be a war of races. This, I confess, is a *dark* picture. I cannot, however, feel alarmed. We Radicals, dangerous as we are supposed to be, will guard against these frightful results. What we deprecate is *haste* in reconstruction. We have no thought, for example, of hurrying South Carolina into the Union with her ignorant negroes, and stupid and disloyal whites. We want a season of probation, giving us time to repeople the waste places within her borders; time for Yankees and Europeans to take possession of the country and supply us with a loyal and intelligent element. Then there will be no negroes holding office unless a majority of the people want them, and in that case a war of races will not be very probable. I have already referred to the policy of negro voting in nearly all of the States for some thirty or forty years of our history, and I believe it never led to negro office-holding. Even in Massachusetts I remember no case of the sort. The only instance in my knowledge occurred in this State, some twenty years ago, in the election of a negro justice of the peace. Nor has negro voting ever led to social equality or miscegenation, to my knowledge. If my Democratic friends, however, feel in danger of marrying negro women, I am in favor of a law for their protection. I be-

lieve the Republicans do not feel in any sort of danger. Gentlemen, seriously, the argument I am combating is worthy only of our Copperhead friends, and I hope no loyal man will ever hereafter defile himself by wielding their despicable weapons.

But it is said, after all, that the true policy is not to give the ballot to the negro, but to *colonize* him ! Gentlemen, I trust I need not occupy your time with any argument on this point. Certainly, the policy of colonization in any foreign clime has found its place among the exploded humbugs of the age. Perhaps I should not wholly overlook the fact that General Cox, of Ohio, has invented a new, and what he doubtless believes an improved plan of colonization, for which, I presume, he means to take out a patent. He proposes to confine all the freedmen in some three or four States of the South, and hold them there as a dependency under the National Government, — a sort of African Reservation. How he would get the two or three hundred thousand white people in those States out, having the right of locomotion and domicile, or how he would get the negroes in, having the same right, he has not told us. But if the whites were all out and the negroes all in, the real problem would still remain to be solved. Four millions of negroes huddled together, surrounded at every point of their border by a negro-hating, domineering white race, would furnish the world with a repetition, on a large scale, of those scenes of strife, border warfare, expulsion and extermination, which we have seen enacted in the case of our Seminole and Cherokee reservations. I need not dwell on this most impracticable of all projects, for by common consent it is rapidly passing out of the thoughts of men as utterly unworthy of consideration.

There is another method of evading the question of negro suffrage which I sometimes hear urged, and that is the establishment of a military government over the districts lately in revolt. The poor whites, it is said, are too ignorant to vote ; the negroes are in the same condition ; the rebel leaders are or should be disfranchised ; let us, therefore, get up a military government, and let nobody vote. Gentlemen, I object to this policy, — first, that a great standing army in time of peace is at war with all the maxims of our fathers ; next, that it would cost us from one hundred to two hundred millions per year to maintain it, and you could not raise the money, having already a financial burden fully sufficient for your shoulders ; and finally, that a military government never would fit anybody to vote. Like the despotisms of the Old World, it would unman, and dwarf, and paralyze the people, ren-

dering them more and more the mere helpless machines of the power that would use them. In fact the proposition logically contemplates the abolition of free institutions in all the insurrectionary districts, and is therefore utterly vicious. As I have argued elsewhere, the way to teach men the use of the ballot is to give it to them, and the sooner you send them to school the sooner they will learn.

Another objection to negro suffrage is that the agitation of the question will divide the Union party and aid our enemy. "Don't spring it!" say my conservative friends; "for God's sake don't spring it! It will divide us and let the Copperheads of our State into power!" Well, gentlemen, I didn't spring it. The rebels sprung it, when they brought on the war and necessitated its issues. The government sprung it when it put arms into the hands of the negro. The Copperheads spring it, and put it into their platforms. My conservative friends spring it by imploring me *not* to spring it. So the question is sprung. What will you do about it? "It will let in the Copperheads!" Suppose it should; would that be any worse than letting in the rebels? If we are to bring ourselves down to the level of the Copperheads in order to succeed, meanly consenting to do their work, we may as well let them in regularly, at once. If the Union party can only be held together by trampling upon justice and the rights of man, the sooner we go to pieces the better. "Don't agitate it! Keep still!" And so my conservative friends plead with me seventeen years ago. Their gospel was *Hush!* And as the slaves were in chains, if everybody would hush they would remain in chains, world without end. The same is true now of negro suffrage. Agitation is the chosen means under Providence of carrying forward the truth, and the man who opposes it now is not for suffrage at any time. "Be still; wait till the country is ready for it!" But Providence has pretty much quit working miracles. Suppose He should send his lightning, as He did in the conversion of Paul, and instantly convert us all to negro suffrage. Then I suppose I would have leave to agitate it. But the first Conservative I would meet would say, "You are a fool! What are you talking about? We are all with you!" Gentlemen, you see the miserable sophistry into which men run in striving to escape a disagreeable duty. I say to you to-night, the issue will not divide us. The heavens will not fall, if justice is done. All through the war we disagreed as to arming the negroes, striking at slavery, and the confiscation of rebel property, but we so hated the rebels that we kept our eye on their



guns, looking neither to the right nor to the left. So it will be now. If any Union man should leave us on this issue, and join the enemy, he will very soon grow ashamed of his crowd and return; and on a decent probation I would take him back. We shall *not* divide. This is my prophecy, and I prophesy further that in less than twelve months some of the men who now beg me not to spring the question will swear they sprung it first. I form this opinion from my political experience.

And now, gentlemen, in conclusion, I come to the most formidable objection of all, in the opinion of those who urge it, namely, that the question belongs to the States; that Indiana can decide for herself who shall vote; Ohio can; Mississippi can; the eleven revolted States, being all of them *in the Union*, can determine for themselves exclusively who shall vote; and that, therefore, you and I have no concern in the matter. I bespeak your special attention to what I have to say, for I flatter myself I can make my views perfectly intelligible, even to my friend Captain Kilgore, who filed his bill of discovery against me.

I agree, gentlemen, that the question belongs to the States, subject to the reserved right and duty of the United States to guarantee Republican governments to the States. The States *might* so deal with the right of suffrage as to invoke national intervention; but I agree to the generally accepted proposition, that it is a State question. I agree further, that the revolted districts are in the Union, in one sense. Their territory is there. I have not heard of its removal by the rebels, or by earthquake or other convulsion of nature. I agree, too, that the people occupying that territory are in the Union. They are not the citizens of any foreign country. They are subject to the jurisdiction of the United States, and can no more run away from it than a man can run away from his shadow. Through their treason they have lost their rights in the Union, but the Union has lost none of its authority over them. I agree further that no State can constitutionally secede. Our fathers never intended that the government might fall to pieces at the will or whim of any of its parts. All governments are intended to be perpetual. No State, therefore, can *constitutionally* secede, any more than any one of you can morally tell a lie, or commit suicide. If, however, you do lie, and we can prove it, the lie is out, though you did it immorally; and if you cut your throat, and the breath goes out of your body, I rather think you will be dead, seceded to another world, though you will not have gone there according to either law or gospel. Some of you may have a

theory that you would not be dead in the case supposed, but I speak of the *fact*. Your theory that two and three make four would not change the fact of their sum. The truth of the matter was well stated by President Lincoln, when he said that the rebel States are outside of their proper constitutional relations to the Union. They are, so to speak, outside of that constitutional orbit in which they once revolved around the Union, as their centre and sun ; and until restored, they can no more be States in the Union than a branch can live when severed from the tree. Toward the National Government they stand in the relation of Territories, and are subject entirely to its jurisdiction.

My first witness on this subject is President Johnson. He appoints provisional governors for these States ; but the Constitution knows nothing of any such officer, and he certainly has no right to appoint a governor of any sort for any State *in* the Union. North Carolina has just elected a rebel governor, over Holden, and asks to be recognized at once as a State. The President tells her to reconstruct awhile first, and instructs Holden to *hold on*. Louisiana last year made a Constitution, elected a governor, and sent senators and representatives to Washington. Almost everybody said she was in. It was argued she had never been out, because the Constitution would not let her go out. But Congress looked at these senators and representatives, and told them they were "not good looking and couldn't come in." I believe the *State* of Louisiana is now under a military governor. The President tells the rebels they must abolish slavery, repudiate their debt, give the negroes their testimony, etc., none of which conditions he can lawfully exact, if the States are *in* the Union, as are Indiana and Ohio. He pardons a rebel leader into a voter ; but if he can make voters out of rebel leaders, can't he make voters of loyal men ? And if in any one of these States he deals with the question of suffrage, is that State in the Union ? He tells the rebels that certain of them shall not vote ; but does not the right to say who shall not vote, imply the right to say who shall ? The President tells the rebels to organize governments, elect members of Congress, and then submit to Congress the question of their restoration. But could he do that as to Indiana ? If we should make a new constitution to-day, would it be any of the business of Congress ? Certainly we should not submit to any question as to the admission of duly elected members under the new organic law.

Some of our party leaders say that the acts of the Executive

and of Congress since the war have proceeded upon the hypothesis that all these States are in ; that once in the Union, always in the Union. To show the fallacy of this, let me instance another fact. In the House of Representatives there are 236 members, counting the States in revolt. A constitutional quorum is 119, if I am not mistaken. But ever since the war we have been legislating with a quorum of 94, being a majority of the representatives from the States that have not rebelled. It follows from the theory I am opposing that our tax laws, our conscription laws, — our thousand and one laws on which I have been voting for four years, — are null and void. You have pretended to fight rebels, while all the time you yourselves were trampling the Constitution under foot. Your bonds and greenbacks have no value. Your constitutional amendment, soon now to be consummated, will have no validity, for not two thirds of Congress ever voted for its submission. Do you believe all this? Gentlemen, you know better. You dare not say it, nor can the Nation. As I have already said, these rebel States are outside of their constitutional orbit, and they never can get back into it without the consent of Congress. And right here is where the matter of suffrage comes under your jurisdiction. Carolina, for example, asks admission. She must come as a Territory, as to her rights. Suppose she asks to be restored with slavery in her Constitution. I would see her in Paradise before I would vote to receive her. Suppose she should ask to come in with polygamy. Believing one wife about as many as one Christian can get along with, I would not receive her. Suppose she should come with cannibalism, the right of one Copperhead to eat another, — a thing not very offensive in itself, — I would not vote for a man-eating constitution, for loyal men might be the victims. Carolina asks to come in, and while I am thinking of the question I remember a clause in the Constitution which says, “The United States shall guarantee to every State a republican form of government.” What is a republican form of government, is a political question exclusively for Congress to decide. Well, I look at her Constitution, and find that it disfranchises two thirds of her people, and they the only loyal ones in her border, and gives the ballot to one third, and they rebels, who ought to have been hung or exiled before to-day. Gentlemen, I would decide, without hesitation, that her Constitution was not republican in form or in fact ; and I would slam the door in her face. “What would you do with her ?” you ask. I would have Congress put a territorial government over her, and President Johnson to appoint a chief justice, a gov-

ernor, a marshal, etc., and in local politics, in electing justices, constables, etc., I would set the people to voting. If I should allow the rebels to vote, I would be sure to checkmate them by the votes of loyal negroes ; and thus I would train up the people, black and white, to the use of the ballot. If they should go astray, the supervisory power of Congress would correct all mistakes ; and after a while, when a population had been secured fit for State government, I would, if in Congress, vote to receive Carolina again into our embrace. Some of the States might be received sooner, and under less exacting conditions than others ; but in all, I would want to be assured that no future harm to our peace could result from any lack of vigilance on our part in prescribing necessary conditions.

And thus, gentlemen, I think I make this question of reconstruction as plain as the way to your homes. Through your servants in Congress the power is in your hands, unhindered by any constitutional difficulty to do exactly what may seem to be required. I trust that by this time even my friend Kilgore understands my position. And I care not what your theory is as to the status of the rebel States. Here, on the admitted ground of the power of Congress to prescribe conditions of return, and to guarantee republican governments, the whole question of suffrage is your question, and you cannot escape it if you would.

And now, Mr. Chairman, if any gentleman desires me to fortify my position still further, to make my point still clearer, I will endeavor to gratify him by stating another proposition. I give you no mere opinion of my own, but the voice of the Nation itself, speaking through its highest judicial tribunal two years and a half ago, in a case involving the constitutional rights of rebels, and the law of nations applicable to the war. I am surprised that so many of our public men ignore this decision. The Supreme Court of the United States decided that although the revolt of the rebels at first was a mere insurrection, a great mob, yet when it grew on our hands till we had to call out a million of men to put it down, and fit out six hundred ships to blockade a coast of twenty-five hundred miles, and in dealing with it recognized the right of blockade and the other ordinary incidents of a foreign war, then and thenceforward it became a civil, territorial conflict, like that of a war with Mexico or France ; *that the rebels, while still liable to be hung or otherwise dealt with for treason, took upon themselves the further character of public enemies, according to the laws of war ;*



and that, of course, when conquered, they would be conquered enemies, having simply the rights of a conquered people. I state the substance of the point decided, as I understand it, in my own language. Now, the law of nations declares that the rights of a conquered people are exactly such rights as the conqueror may graciously be pleased to grant. That is all, gentlemen, and I am for giving the rebels the full benefit of it. When they waged a public war against the nation, went outside the Constitution and defied its power, and rested their cause on the naked ground of lawless might; and when we at last met them on their own chosen issue and flogged them, they had no rights left. Uncle Samuel had them on their backs in the gutter, with his big foot on their necks, and unless by his grace and pleasure they had no longer any right but to die. Parson Brownlow, I believe, said they had one more right, and that was a divine right to be damned, after they were dead; but I know nothing about that. I never dabble with questions of theology, and profess no skill in it; but I know that according to the law of nations and the laws of war, as applied under the Constitution to this quarrel, the rebels, by their defeat, lost all their rights. State rights, constitutional rights, civil rights, natural rights, all the rights there are, were swallowed up and lost by their infernal treason and war. What I have said already about the authority of Congress under the Constitution I repeat here, as to the authority of the people under the right of conquest. The way is perfectly open to you, unobstructed by any constitutional difficulty, any obstacle in any form, to do exactly what may seem right in your eyes. You can hold the rebels in the strong grasp of war till the end and purpose of the war, which is a lasting peace, shall be made sure. Are any of you silly enough to grant that after they have waged a frightful war of four years on the pretext of State Rights, and we have conquered them, at great cost of blood and money and wide-spread sorrow in the land, we must allow them in the end to set up State Rights again as a bar to our doing precisely what we please? Did we fight them as a mighty public foe, guided by the rules of war and the law of nations up to the moment of the surrender of General Lee, and then, by some devilish necromancy, were we forced to make a dead halt, and recognize in them the very rights they had sinned away? That doctrine is excellent for Copperheads, but in the name of decency, let no Republican mouth it. God forbid! If an assassin assail me, and after a fearful struggle I prostrate him, and wrest from him his weapons, shall I

let him up, restore to him his knife and revolver, and politely ask him about terms of peace? Gentlemen, I pray you not to forget the cost of this war. In considering the terms and conditions of peace, do not forget the rivers of blood and seas of fire through which so many of our brave legions waded to their death. Do not, I beseech you, so soon forget the widows and orphans made to mourn through stricken lives to their graves, and the green mounds under which sleep so much of the glory, and pride, and beauty of our Israel. And will you remember all this, and then turn to the rebels as "misguided fellow-citizens," "erring brethren," "wayward sisters," and ask them about the conditions of peace? Shall we tell them that our conquest over them, instead of stripping them of their rights, only restores those rights? — that we fought for a military victory, utterly barren of any other results, and that the States to-day in revolt are in the Union, with all their rights inhering, state and constitutional, and have never been out? Shall we deal with conquered traitors and public enemies as equal sovereigns with ourselves, and insult justice and mock God by pettifoggery their cause? Gentlemen, I repeat it, the rebels are in our power, and if we foolishly surrender it we shall be the most recreant people on earth. The glorious fruits of our victory are within our grasp. We have only to reach forth our hands to possess them. Let me plead with you to do your duty. Breathe into the hearts of your rulers your own spirit of earnestness and resolution. Compass this administration about with that persistent pressure which at last gave the country a saving policy of the war under Mr. Lincoln. Do not shrink from the duty of frank and friendly criticism of the conduct of your public servants, when you see them in danger of going astray. Thunder it in the ears of your President and Congress that you demand the hanging, certainly the exile, of the great rebel leaders; the confiscation and distribution of their great landed estates; and that the governing power in the South shall be placed in the hands of the friends, and not the enemies of the nation. Do this, and the result will be a peace with the South as lasting as her hills, and our Republic will be in reality, for the first time in her history, the model Republic of the world.

## SUFFRAGE IN THE DISTRICT OF COLUMBIA.

HOUSE OF REPRESENTATIVES, JANUARY 16, 1866.

[The bill extending the right of suffrage to the colored people of the District of Columbia was debated in the House with singular thoroughness and force; and its passage by the vote of yeas 116 to nays 54 showed the progress of public opinion, and evidently did much in opening the way for the enfranchisement of the negro in the insurrectionary districts.]

MR. SPEAKER, — Whatever doubts may arise as to the authority of Congress to regulate the right of suffrage in the districts lately in revolt, none can exist as to such authority within the District of Columbia. By the express words of the Constitution, Congress here has “exclusive power of legislation;” and that power, of course, extends to all the legitimate subjects of legislation, of which the ballot is unquestionably one. Shall it be conferred, irrespective of color, or granted only to white men? Shall Congress recognize the equal rights of all men in the metropolis of the nation and the territory under its exclusive control, or must our national policy still be inspired by that contempt for the negro which caused slavery, and finally gave birth to the horrid war from which we have just emerged? Shall the nation, through its chosen servants, stand by the principle of taxation *and* representation, for which our fathers fought in the beginning, or reënact its guilty compact with aristocracy and caste? This is the question, variously stated, which confronts us in the bill before the House. It must now be dealt with upon its merits. To attempt to postpone or evade it is to trifle with the dangers and duties of the hour, and forget all the terrible lessons of the past.

Mr. Speaker, I demand the ballot for the colored men of this District on the broad ground of absolute right. I repudiate the political philosophy which treats the right of suffrage as merely conventional. The right of a man to a voice in the government which deals with his liberty, his property, and his life, is as natural, as inborn, as any one of those enumerated by our fathers. It is said, I know, that natural rights are only those universal ones which exist in a state of nature, in which every man takes his defense and protection into his own hands; but I answer that there

is no such state of nature, save in the dreams of speculative writers. The natural state of man is a state of society, which demands law, government, as the condition of its life. By the right of suffrage I mean the right to a share in the governing power; and while the peculiar manner and circumstances of its exercise may fairly be regarded as conventional, the *right* is natural. If not, then there are no natural rights, since none could be enjoyed except by the favor or grace of the government, which must decide for itself who shall be permitted to share in its exercise. You may, if you choose, call the right of suffrage a natural *social* right; but whatever adjectives you employ in your definition, the right, I insist, is natural. Most certainly it is so in its primary sense. My friend from Iowa [MR. WILSON] substantially agrees with me, for he speaks of suffrage, not as a *privilege*, but as a right, equally sacred with those acknowledged to be natural, and which government cannot take away. Sir, without the ballot no man is really free, because if he enjoys freedom it is by the *permission* of those who govern, and not in virtue of his own recognized manhood. We talk about the natural right of all men to life, to liberty, and to the pursuit of happiness; but if one race of men can rightfully disfranchise another, and govern them at will, what becomes of their natural rights? The moment you admit such a principle the very idea of Democracy is renounced, and Absolutism must own you as its disciple. The fact that society, through government as its agent, regulates the right, and withholds it in certain instances, as in the case of infants and idiots, and makes the withdrawal of it a punishment for crime in others, does not at all contravene the ground I assume. Society, for its own protection, takes away all natural rights, or rather, it declares them forfeited on certain prescribed conditions. Christianity and civilization place their brand upon slavery as a violation of the natural rights of men. But that system of personal servitude from which we have finally been delivered is only one type of slavery. Serfdom is another. That unnatural ownership of labor by capital which grinds the toiling millions of the Old World, and renders life itself a curse, is not less at war with natural rights than negro slavery. The degrees of slavery may vary, but the real test of freedom is the right to a share in the governing power. Judge Humphrey, speaking of the freedmen, says, "There is really no difference, in my opinion, whether we hold them as absolute slaves, or obtain their labor by some other method." The old slaveholders understand this perfectly. An intelligent human being, absolutely subject to the government under



which he lives, answerable to it in his person and property for disobedience, and yet denied any political rights whatever, is a slave. He may not wear the collar of any single owner, but he will be what Carl Schurz aptly calls "the slave of society," which is often a less merciful tyrant. He will owe to the mere grace of the government the right to marry and rear a family; the right to sue for any grievance; the right to own a home in the wide world; the right to the means of acquiring knowledge; the right of free locomotion and to pursue his own happiness; the right to a fair day's wages for a fair day's work; the right to life itself, save on conditions to be fixed without his consent, and which may render him an alien and an outcast among men. So abject and humiliating is such a condition, and so perfectly does the world understand the sacredness of the rights of the citizen, that in all free governments his disfranchisement is appropriately made a part of the punishment for high crimes. Sir, I repeat it, there *is* no freedom, no security against wrong and outrage, save in the ballot; and Governor Brownlow is therefore thoroughly right in principle, in contending that the constitutional amendment abolishing slavery, and giving Congress the power, by appropriate legislation, to enforce this abolition, authorizes us to secure the ballot to all men in the revolted districts, irrespective of color. It is not slavery in form, but in fact, and under whatever name, that the people of the United States intend to have abolished forever.

If I am right in this view, color has nothing whatever to do with the question of suffrage, as the gentleman from Iowa [Mr. KASSON] will see. The negro should not be disfranchised because he is black, nor the white man allowed to vote because he is white. Both should have the ballot because they are men and citizens, and require it for their protection. Are you willing to rest your right to the ballot on the purely contingent fact of your color? Your manhood tells you instantly that *that* is not the foundation. You are a man, endowed with all the rights of a man, and therefore you demand a voice in the government; but when you say this you assert the equal rights of the negro. Neither color, nor race, nor a certain amount of property, nor any other mere accident of humanity, can justify one portion of the people in stripping another portion of their equal rights before the law, the common master over all. Government, in fact, in its proper, American sense, is simply the agent and representative of the governed, in taking care of their interest and guarding their rights. It is not the concern of the few, nor of the many, but of all. The

negro, doubtless, would have been born white, if he could have been consulted; and to take from him his inherent rights as a man because of his complexion, is a political absurdity as monstrous as its injustice is mean and revolting. When you do it, you aim a deadly stab at the vital principle of all democracy. If you may disfranchise the negro to-day on account of his race, or color, you may disfranchise the Irishman to-morrow, and the German the next day; and then, perhaps, you will be prepared to strike down the laboring man, the "mudsill," adopting the Virginia philosophy, that "filthy operatives" and "greasy mechanics" are unfit for political power. No absurdity or wickedness can be too great for a people who could thus deliberately sin against the great primal truths of democracy; and the logical consequence of the first false step, of any departure whatever from the rule which makes manhood alone the test of right, must be to continually narrow the basis of popular power till the end shall be a remorseless aristocracy or an absolute despotism.

Mr. Speaker, this view of suffrage as a natural right greatly simplifies the whole subject. The sole question is, as already stated, whether our democratic theory of government shall be maintained in practically recognizing the inherent rights of all men as the source and basis of political power? To ask this question, in the United States, is to answer it. And public policy, also, answers the question in the interest of the broadest radicalism. Duty and advantage will be found hand in hand in any fairly tested experiment of equal suffrage. According to the census returns of 1860, the colored population of this District was then over fourteen thousand. It is now estimated at about twenty thousand. The value of real and personal property owned by them is at least \$1,225,000. They own twenty-one churches, supported at a cost of over \$20,000 per annum. The whole number of their communicants is 4,300, with an average attendance of 9,000, distributed among their own religious communities, and among the Catholic and Episcopal churches of their white fellow-citizens. They have twenty Sabbath-schools, with from three to four thousand scholars, and thirty-three day-schools, attended by over four thousand scholars in the month of last November. Four thousand of the colored people can read and write. They subscribe for 1,250 copies of the "National Republican," and about 3,000 copies of the Daily and Sunday "Chronicle." There are more than thirty benevolent, literary, and civic organizations among them, by which their needy, superannuated, and infirm are

cared for to a large extent, the city government having none or very few colored paupers to support. They furnished three full regiments for the national service, numbering in all 3,549, and from sixty to seventy per cent. of the drafts in the District were composed of colored soldiers or substitutes. This, sir, is the character and condition of a class in this community ninety per cent. of whom were slaves at the beginning of the war, or their immediate descendants, many of them having purchased their own freedom and that of their families, and are, besides, property holders to a considerable extent. Sir, I call this a good record, if not a proud one. These people are here, and they will remain here, either as the friends or the enemies of the government. If we shall give them their rights, — a stake in society, an equal chance with the white man to fight the battle of life, — instead of becoming an element of weakness and a source of danger they will be found our allies and friends, and thus lend unity and strength to the government. If we shall continue to disfranchise and degrade them, we shall make them aliens, domestic foes in our midst, a perpetual menace of danger and discord, from which we shall suffer quite as much as the party thus wronged by our cruel folly. As a matter of mere policy, therefore, wholly aside from the question of right, I would give the ballot to every colored man of competent age in the District; and had I the power I would secure to him a home on the soil he has so long watered by his tears. I proposed this policy for the revolted States in a measure I had the honor to report to this House two years ago, providing for homesteads on the forfeited and confiscated lands of rebels; and had it prevailed in the Senate, as it did in this body, it would have wrought out the only true reconstruction of government and society in the South. The great want of every poor man is a home, along with the ballot with which to defend it. Russia, in giving freedom to her millions of serfs, secured to each one of them a homestead. Our policy should be the same. In the history of the world the ballot has generally followed the granting of homesteads to the poor; but the poor now should have the ballot as the surest means of attaining the homestead. Sir, there is but one remedy for the appalling picture recently presented by John Bright, of five million families in the United Kingdom who are unrepresented in Parliament, and whose utter helplessness, poverty, and degradation appeal in vain to the English aristocracy. That remedy, as righteously due these voiceless millions as the sunlight, is the ballot. *That* would “bend the powers of states-

manship to the high and holy purposes of humanity and justice," and at last make sure to the lowliest the blessed sanctuary of a home upon the soil, which is among the natural rights to secure which "governments are instituted among men." In our own more favored country the ballot and the homestead may go together, and should be conferred at once. In the five great landed States of the South there yet remain about fifty million acres of public land unsold, all of which, if not prevented by law, will be open to rebel speculators. This should be set apart at once for actual homesteads in limited quantities, and a bill providing for this is now before the Committee on Public Lands. Every landless freedman in the country, should this measure prevail, will have, at least, a chance to become a freeholder, and thus to unite his destiny to the government as its friend. This, or some kindred measure, is rendered absolutely necessary by the unfortunate failure of the policy of confiscation, and by what seems to me the criminal action of the government in restoring to flagitious rebels, through pardons and otherwise, the vast and valuable lands which had vested in the nation through their treason, and are so greatly needed and have been so justly earned by the freedmen. Sir, no other policy than that of justice and equal rights can be trusted in dealing with these long-suffering people. Instead of driving them to thriftlessness and vagabondism, I would bind them to the government through its parental care for their welfare. Let us give them the ballot; and then, should a public grievance come, they will bear it cheerfully, as self-imposed. They will bide their time, in the hope that at a future election the remedy will be found. "I can conceive no greater social evil," says Governor Parsons, of Alabama, "than a class of humanity in our midst so excluded from the social pale as to become a stagnant, seething, miasmatic, moral cesspool in the community. Human nature cannot improve without the moral incentive of hope in a human future." The policy of education, of moral development, can alone secure the just rights and the highest good of all races; and if the rulers of other countries were wise, they would apply this truth in dealing with their discontented and dangerous population. "Each class in England," says the "Westminster Review," "as it has, by the natural progress of civilization, in time advanced to a consciousness of its own condition, and a comparison between itself and others, has in turn demanded to be admitted to a share in the government. Each in turn has been admitted, and the country has grown more and more powerful, and the population more con-



tented, as the basis of freedom has gone down lower and spread out wider." Sir, I trust this lesson of English history, slowly evolved, and now held up to us by English radicals, will not be slighted in dealing with the question of negro enfranchisement in our own country.

Mr. Speaker, if it shall be objected that the negroes of this District are not fit to vote, that they are too ignorant and degraded to be intrusted with power, I have several replies to make.

In the first place, the negroes of this District are not all ignorant, as I have already shown by facts. Many of them are educated and quite intelligent. The larger class who are not so will not suffer by a comparison with the very large class of their ignorant white neighbors. The "rounders" and ruffians who instigate mobs against harmless and peaceable colored people, and then publish their deeds as a negro insurrection, and who have probably been on the side of the rebels, in sympathy or in fact, during the whole of the war, are not the most fit men in the world for the ballot. They vote, and there is no proposition from any quarter to disfranchise them. The policy of Massachusetts, referred to yesterday by the gentleman from Iowa [Mr. KASSON], would leave them untouched. I commend this fact to all the fair-minded opponents of negro suffrage.

In the next place, fitness is a relative term. Nobody is *perfectly* fit to vote, because nobody is perfectly informed as to all the subjects of our legislation and policy. Of the millions in our land who regularly go to the polls and pass upon the gravest questions, how many could stand even a tolerable examination on political economy, or constitutional law, or political ethics? How many men of good sense and fair intelligence could give a well-defined reason even for some of their most decided opinions? The truth is, all men are more or less unfit to vote, as all men are more or less unfit to discharge all their duties, civil, social, religious, or what not. The political opinions and actions of the generality of men, who in a free country govern, are not guided by logic, or any exact knowledge, but by habit and tradition, by their social relations, and by their natural trust in those whom they think wiser than themselves. On this subject the highest authority of which I have any knowledge is that of John Stuart Mill. He says:—

"It is not necessary that the many should, in themselves, be perfectly wise; it is sufficient if they be duly sensible of the value of superior wisdom. It is

sufficient if they be aware that the majority of political questions turn upon considerations of which they and all other persons not trained for the purpose must necessarily be very imperfect judges, and that their judgment must, in general, be exercised upon the characters and talents of the persons whom they appoint to decide those questions for them, rather than upon the questions themselves. This implies no greater wisdom in the people than the very ordinary wisdom of knowing what things they are and are not sufficient judges of. If the bulk of any people possess a fair share of this wisdom, the argument for universal suffrage, so far as respects that people, is irresistible."

Sir, by this standard I am willing to have the colored people of this District tried ; and I demand the same trial for the white men who are loudest in their protest against negro ballots.

MR. GARFIELD : I desire to ask the gentleman whether, in his reference to the opinion of John Stuart Mill, he quotes that distinguished writer as in favor of unqualified suffrage ?

MR. JULIAN : No, sir. I quote from him simply to show his opinion as to the measure of intelligence deemed by him necessary to qualify men for suffrage. I quote the extract because it sustains the point I am arguing.

MR. GARFIELD : I did not ask the question with a view of opposing any doctrine the gentleman is advocating, but merely to suggest that Mr. Mill, in the volume from which the gentleman has just quoted, takes strong ground in favor of suffrage restricted by educational qualifications.

MR. HILL : Mr. Speaker, I understand my colleague to base his argument in favor of negro suffrage in the District of Columbia upon the personal right of suffrage. I desire to ask my colleague whether he regards that as a personal right elsewhere than in the District of Columbia ; and whether, as a citizen of Indiana, where, it is notorious, negroes have not for years past been permitted to migrate, he is willing to extend that right to his own State ?

MR. JULIAN : I shall refer to that question presently ; and answer it, I think, to the satisfaction of my colleague.

Mr. Speaker, mere knowledge, education, in its ordinary sense, will not fit any man to vote. It must depend, as Dr. Lieber says, upon how men use it. He declares it to be no guarantee for free institutions, and refers to Prussia, the best-educated country in the world, where liberty is an outlaw. The reading and writing test, so strenuously urged on this floor, is a singularly insufficient measure of fitness. Reading and writing are mechanical processes, and a man may be able to perform them without any worthiness of life or character. He may lack this qualification, and yet be tolerably fit to have a voice in the government. If penmanship must

be made the avenue to the ballot, I fear several honorable gentlemen on this floor will be disfranchised. A merely educational test would allow all the rebel leaders to vote, while the great body of the people of the South, white and colored, would be disfranchised. Sir, education of the heart is far more important than that of the brain. "The soul is greater than logic." The hearts of the negroes have been unfalteringly with us all through the war, inspiring their judgment, vivifying their convictions, and insuring their universal loyalty. They, of all men in the South, have best vindicated their title to the ballot.

Mr. Speaker, our American democracy has never required any standard of knowledge as a condition of suffrage; and the educational test, invented by the Know Nothings some years ago, during their raid against the foreigners, would not now be thought of, but for our proverbial hatred of the negro. According to our census tables, more than a half million men in our country annually go to the polls who can neither read the Constitution nor write their names. The proposition to disfranchise this grand army of ignorant men would meet with very little favor in any quarter. No public man dreams of it, and any such purpose as to the ignorant white men of this District is expressly disavowed by the advocates of restricted suffrage in this House. Sir, the real trouble is that *we hate the negro*. It is not his ignorance that offends us, but his color; for those who are loudest in their opposition to universal suffrage would be quite as unwilling to give the ballot to Frederick Douglass as to the most ignorant freedman in the South. Of this fact I entertain no doubt whatever, and I commend it to the attention of conservative gentlemen on this floor, who imagine that a vote for qualified negro suffrage will be less offensive to their negro-hating constituents than for the bill now under discussion.

In further reply to the argument which would disfranchise the negroes on account of their ignorance, allow me to say that the ruling class have made them ignorant by generations of oppression, and no man should be allowed to take advantage of his own wrong. Sir, how can the negro emerge from his ignorance and barbarism if left under the heel of his 'old tyrant? I agree that in any scheme of universal suffrage universal knowledge, as far as possible, should be demanded; but *universal suffrage is one of the surest means of securing a higher level of intelligence for the whole People*. I would not level the educated classes downward, but the ignorant masses upward, by giving them political power and the

incentive to rise. Our first duty is to take off their chains, as the best means of preparing them for the ballot. By no means would I disparage education, and especially political training; but the ballot is itself a schoolmaster. If you expect a man to use it well you must place it in his hands, and let him learn to cast it by trial. If you wish to teach a man to swim, you must first put him in the water. If you wish to teach him how to handle the tools of the mechanic, you must first put them in his hands. If you wish to teach the ignorant man, black or white, how to vote, you must grant him the *right* to vote as the first step in his education. The negro, I am sure, will generally be found voting on the side of his country, and gradually learning his duties as a citizen. Sir, let one rule be adopted for white and black, and let us, if possible, dispossess our minds, utterly, of the vile spirit of caste which has brought upon our country all its woes.

Mr. Speaker, I reply still further, that my argument is not at all invalidated if I admit that the white people of this District are decidedly superior to the negroes in education and general intelligence. This very superiority would give them an important advantage over the class not thus favored. It would become a powerful weapon in carrying out their peculiar purposes; and these will certainly be antagonistic to the best good of those whom law and usage have so long injured and degraded. If any class will be peculiarly exposed, and need the strongest safeguards, it will be the negroes, who have been made comparative children in knowledge and self-help. All class rule is vicious; but if one class must rule another, it will be found far better to allow the prerogative to the laboring many, whose usefulness and numbers best entitle them to it, than to confer it upon the aristocracy, the "gentlemen," the idlers, who will of course maintain their privileges. The many who have been denied equal rights, and suffered from the privation, will be quite as fit for political power as the few who have had no such experience.

Mr. Speaker, I hope I need not reply to the argument often urged, that negro voting will lead to the amalgamation of races, or social equality, which now seems to mean the same thing. On this subject there is nothing left to conjecture, and no ground for alarm. Negro suffrage has been very extensively tried in this country, and we are able to appeal to facts. Negroes had the right to vote in all the colonies save one, under the Articles of Confederation. They voted, I believe, generally, on the question of adopting the Constitution of the United States. They have voted ever since in



New York and the New England States, save Connecticut, in which the practice was discontinued in 1818. They voted in New Jersey till the year 1840; in Virginia and Maryland till 1833; in Pennsylvania till 1838; in Delaware till 1831; and in North Carolina and Tennessee till 1836. I have never understood that in all this experience of negro suffrage the amalgamation of the races was the result. I think these evils are not at all complained of to this day in New England and New York, where negro suffrage is still practiced and recognized by law. Indeed, the fact is notorious, that amalgamation is almost totally unknown, except in a state of slavery, which obliterates the ties of life, and subjects the negro woman to the unbridled power of the master race. Sir, give the colored man the ballot, so that he may maintain the liberty already nominally conferred, and the best possible step will have been taken to regulate and purify the relations heretofore existing between the races. Should the Copperheads and rebels of this District feel in danger of matrimony with their African fellow-citizens in consequence of negro suffrage, I would have Congress pass a law for their protection; but I would not withhold the ballot from the colored people for a reason so contingent, and so uncomplimentary to their character and taste.

Nor do I deem it necessary, Mr. Speaker, to dwell on the argument that negro voting will lead to negro office-holding, negro domination, and ultimately to a war of races. Such an argument, current as it is in certain quarters, finds no shadow of support in any known facts. The experience to which I have referred certainly can alarm no one, and the instances are rare, if in fact any can be adduced, in which colored men have held office, though their numbers, as in States like Pennsylvania, Virginia, and Maryland, were very large when black suffrage was allowed. Sir, no fact is more notorious, and at the same time more discreditable, than the nearly universal prejudice of the white race in our country against the negro. That prejudice will not pass away swiftly, but gradually and slowly. Like every other form of injustice, it will ultimately die; but the prospect of this is clearly not immediate. We are certainly not yet so in love with the negro that we prefer him as our ruler; but when the fact shall be realized, it will not be negro domination, but negro rule of choice, by white as well as black suffrage, and cannot therefore lead to any war of races. This is quite evident; for though the negroes here are numerous, and in portions of the South constitute the majority, the tide of emigration from the North and from Europe must very soon place the white

race largely in the ascendant everywhere. I present these considerations in order, if possible, to calm the fears of my conservative friends; for as to myself, my faith in democratic principles depends not at all upon any temporary or local results of their application. Sir, a war of races in this country can only be the result of denying to the negro his rights, just as such wars have been caused elsewhere; and the late troubles in Jamaica should teach us, if any lesson can, the duty of dealing justly with our millions of freedmen. Like causes must produce like results. English law made the slaves of Jamaica free, but England failed to enact other laws making their freedom a blessing. The old spirit of domination never died in the slave-master, but was only maddened by emancipation. For thirty years no measures were adopted tending to protect or educate the freedmen. At length, and quite recently, the colonial authorities passed a whipping act, then a law of eviction for people of color, then a law imposing heavy impost duties, bearing most grievously upon them, and finally a law providing for the importation of coolies, thus taxing the freedmen for the very purpose of taking the bread out of the mouths of their own children! I believe it turns out, after all, that these outraged people even then did not rise up against the local government; but the white ruffians of the island, goaded on by their own unchecked rapacity, and availing themselves of the infernal pretext of a black insurrection, perpetrated deeds of rapine and vengeance that find no parallel anywhere, save in the acts of their natural allies, the late slave-breeding rebels against our flag. Sir, is there no warning here against the policy of leaving our freedmen to the tender mercies of their old masters? Are the white rebels of this District any better than the Jamaica villains to whom I have referred? The late report of General Schurz gives evidence of some important facts which will doubtless apply here. The mass of the white people in the South, he says, are totally destitute of any national feeling. The same bigoted sectionalism that swayed them prior to the war is almost universal. Nor have they any feeling of the enormity of treason as a crime. To them it is not odious, as very naturally it would not be, under the policy which foregoes the punishment of traitors, and gives so many of them the chief places of power in the South. And their hatred of the negro to-day is as intense and scathing, and as universal as before the war. I believe it to be even more so. The proposition to educate him and elevate his condition is everywhere met with contempt and scorn. They acknowledge that slavery, as

it once existed, is overthrown ; but the continued inferiority and subordination of the colored race, under some form of vassalage or serfdom, is regarded by them as certain. Sir, they have no thought of anything else ; and if the ballot shall be withheld from the freedmen after the withdrawal of military power, the most revolting forms of oppression and outrage will be practiced, resulting, at last, in that very war of races which is foolishly apprehended as the effect of giving the negro his rights.

Mr. Speaker, a more plausible, if not a more formidable objection to negro suffrage in this District remains to be noticed. Most of the Northern States refuse the ballot to their colored citizens, and even deny them their testimony in suits in which white persons are parties. In Indiana, which has done so noble and glorious a part in the war, we have a constitutional provision, and laws made in pursuance of it, by which negroes from other sections of our country are forbidden to enter the State. It is made a penal offense for any negro or mulatto to come into her borders, or for any white person to bring him in, or employ him after he shall have come. Now, how can the representatives of such States be expected to vote for negro suffrage in this District ? If Congress, having the sole and exclusive power of legislation here, ought to give the ballot to the negro, why should not Indiana give the ballot to her negro population ? And how can Western representatives face their constituents and answer this question, after having supported this bill ? And it is just here that its passage must encounter its greatest peril ; for members of Congress, however patriotic, will be exceedingly glad to escape this dilemma, and to avoid the committal to the policy of negro suffrage generally, which would seem to be implied in the support of this measure.

In seeking to meet this difficulty several considerations must be borne in mind. In the first place, the demand for negro suffrage in this District rests not alone upon the general ground of right, of democratic equality, but upon peculiar reasons superinduced by the late war, which make it an immediate practical issue, involving not merely the welfare of the colored man but the safety of society itself. If civil government is to be revived at all in the South, it is perfectly self-evident that the loyal men there must vote ; but the loyal men are the negroes, and the disloyal are the whites. To put back the governing power into the hands of the very men who brought on the war, and exclude those who have proved themselves the true friends of the country, would be utterly suicidal and atrociously unjust. Negro suffrage in the districts lately

in revolt is thus a present political necessity, dictated by the selfishness of the white loyalist as well as his sense of justice. But in our Western States, in which the negro population is relatively small, and the prevailing sentiment of their white people is loyal, no such emergency exists. Society will not be endangered by the temporary postponement of the right of negro suffrage till public opinion shall render it practicable, and our Western representatives can thus vote for this bill without encountering any *reasonable* hostility from their conservative constituents, and leaving the question of suffrage in the loyal States to be decided by them on its merits. If Indiana had gone out of her proper place in the Union, and her loyal population had been found too weak to force her back into it without negro bullets and bayonets, and if, after thus coercing her again into her constitutional orbit, her loyalists had been found unable to hold her there without negro ballots, the question of negro suffrage in Indiana would most obviously have been very different from the comparatively abstract one which it now is. It would, it is true, have involved the question of justice to the negroes of Indiana, but the transcendently broader and more vital question of national salvation also. Let me add further, that should Congress pass this bill, and should the ballot be given to the negroes in the sunny South generally, those in our Northern and Western States, many of them at least, may return to their native land and its kindlier skies, and thus quiet the nerves of conservative gentlemen who dread too close a proximity to those whose skins, owing to some providential oversight, were somehow or other not stamped with the true orthodox lustre.

It should be further remembered, Mr. Speaker, that the bill before us relates exclusively to this District, and those municipal and police powers which are to be exercised here under the laws of Congress. Were it in fact dangerous and unwise to give the negro a voice in the general legislation of the country, I can see no objection whatever to the experiment of black suffrage in this District, in the purely local administration of its affairs. For very excellent reasons, already given, I believe the negroes here are entitled to the ballot, and are, at least, as fit as multitudes of white men who are unquestionably to have it. They have done their full share in saving the nation's life. Many of them went into the army as the substitutes of white ruffians and vagabonds who daily "damn the nigger," and whose unprofitable lives were saved by the black column which stood between them and the bullets of the rebels. Sir, let the experiment be fairly made here, on this model



political form of the nation. Should it fail, Congress will abandon it; should it work well, it may prove a most excellent forerunner of measures of larger justice to the colored race in our land. I do not mean to say that the colored soldiers of this District should alone have the ballot, because no such rule is proposed or thought of as to white voting. If the white rabble of this District who did not enter our army, and who, to a great extent, were in sympathy with the public enemy, are to vote, as they undoubtedly will, it would be a very mean mockery of justice to withhold the ballot from loyal negroes, who, although they did not fight, furnished the government with their full share of men.

Mr. Speaker, I ask conservative gentlemen on this floor to consider duly one other fact. If difficulties are to be encountered in voting for this bill, still greater difficulties are to be met in voting against it, and I know of no half-way ground in dealing with fundamental principles. To vote against this measure is to vote against the first truths of democratic liberty. It is to vote for the old spirit of caste and the old law of hate which have so terribly blasted our land. It is to vote down justice and install misrule and maladministration as king. It is to sanction and encourage, by the national example, the barbarous and worse than heathen laws of the Northern and Western States, already referred to, which so loudly call for our rebuke. It is to make a record which the roused spirit of liberty and progress, and the thick-coming events of the future, will certainly disown and turn from with shame. And while such a vote might tend to placate the conservative and the trimmer, it would offend those radical hosts now everywhere springing to their feet, and preparing for battle against every form of inequality and injustice, and in favor of "All rights for all." Sir, justice is safe. The right thing is the expedient thing. Democracy is not a lie. God is not the devil, "nor was Christianity itself established by prize essays, Bridgewater bequests, and a minimum of four thousand five hundred a year." Far better will it be for a Northern representative and for the cause of Republicanism itself to vote on the right side of this question, even should it cost him his seat on this floor, than to vote on the wrong side, and thus maintain his place by the sacrifice of both his own manhood and the public welfare intrusted to his hands. Sir, I agree that the passage of this bill would tend to open the way to perfect equality before the law in all the States. I do not deny that the public would so understand it, and I decline none of the consequences of my vote. Mr. Jefferson, speak-

ing of the negroes, declared that "whatever be their degree of talent it is no measure of their rights," and he likewise declared that "among those who either pay or fight for their country no line can be drawn." That is *my* Democracy. "The one idea," says Humboldt, "which history exhibits as evermore developing itself into greater distinctness, is the idea of humanity, the noble endeavor to throw down all barriers erected between men by prejudice and one-sided views, and, by setting aside the distinctions of religion, country, and color, to treat the whole human race as one brotherhood." Sir, on this broad ground, coincident with Christianity itself, I plant my feet; and no man can fail who will resolutely maintain it.

Mr. Speaker, I must not conclude my argument without referring to one further consideration, by which the passage of this bill, in my judgment, is urgently demanded. I have argued that the ballot should be given to the negroes as a matter of justice to them. It should likewise be done as a matter of *retributive* justice to the slaveholders and rebels. According to the best information I can obtain, a very large majority of the white people of this District have been rebels in heart during the war, and are rebels in heart still. That contempt for the negro and scorn of free industry which constituted the mainspring of the rebellion cropped out here during the war in every form that was possible, under the immediate shadow of the central government. Meaner rebels than many in this District could scarcely have been found in the whole land. They have not been punished. The halter has been cheated out of their necks. I am very sorry to say that under what seems to be a false mercy, a misapplied humanity, the guiltiest rebels of the war have thus far been allowed to escape justice. I have no desire to censure the authorities of the government for this fact. I hope they have some valid excuse for their action. This question of punishment, I know, is a difficult one. The work of punishment is so vast that it naturally palsies the will to enter upon it. It never can be thoroughly done on this side of the grave. And were it practicable to punish adequately all the most active and guilty rebels, justice would still remain unsatisfied. Far guiltier men than they are the rebel sympathizers of the loyal States, who coolly stood by and encouraged their friends in the South in their work of national rapine and murder, and while they were ever ready to go joyfully into the service of the devil were too cowardly to wear his uniform and carry his weapons in open day. But Congress in this District

has the power to punish by *ballot*, and there will be a beautiful, poetic justice in the exercise of this power. Sir, let it be applied. The rebels here will recoil from it with horror. Some of the worst of them, sooner than submit to black suffrage, will doubtless leave the District, and thus render it an unspeakable service. To be voted down and governed by Yankee and negro ballots will seem to them an intolerable grievance, and this is among the excellent reasons why I am in favor of it. If neither hanging nor exile can be extemporized for the entertainment of our domestic rebels, let us require them at least to make their bed on negro ballots during the remainder of their unworthy lives. Of course they will not relish it, but that will be their own peculiar concern. Their darling institution must be charged with all the consequences of the war. They sowed the wind, and if required must reap the whirlwind. Retribution follows wrong-doing; and this law must work out its results. Rebels and their sympathizers, I am sure, will fare as well under negro suffrage as they deserve, and I desire to leave them, as far as practicable, in the hands of their colored brethren. Nor shall I stop to inquire very critically whether the negroes are *fit* to vote. As between themselves and white rebels, who deserve to be hung, they are eminently fit. I would not have them more so. Will you, Mr. Speaker, will even my Conservative and Democratic friends be particularly nice or fastidious in the choice of a man to vote down a *rebel*? Shall we insist upon a perfectly finished gentleman and scholar to vote down the traitors and white trash of this District who have recently signalized themselves by mobbing unoffending negroes? Sir, almost anybody, it seems to me, will answer the purpose. I do not pretend that the colored men here, should they get the ballot, will not sometimes abuse it. They will undoubtedly make mistakes. In some cases they may even vote on the side of their old masters. But I feel pretty safe in saying that even white men, perfectly free from all *suspicion* of negro blood, have sometimes voted on the wrong side. Sir, I appeal to gentlemen on this floor, and especially to my Democratic friends, to say whether they cannot call to mind instances in which this has been done? Indeed, it rather strikes me that white voting, ignorant, depraved, party-ridden, *Democratic* white voting, had a good deal to do in hatching into life the rebellion itself, and that no results of negro voting are likely to be much worse. I respectfully commend this consideration to my friend from Iowa [Mr. KASSON], and to conservative gentlemen here on both sides of this hall. Sir, as I have argued

elsewhere, all men are liable to make mistakes. The democracy I stand by, the fitness to govern which I believe in, is the aggregate wisdom and practical common sense of the whole people. This, and not the wisdom of our rulers, or of any select few, carried us safely through the rebellion, and this only can be trusted in time to come. There is no other reliance under God for us, as the champions and exemplars of Republicanism, and the sooner we bravely accept this truth the better it will be for all races and orders of men composing our great body politic. In demanding the ballot in this District for the despised and defenseless, I simply demand the national recognition of Christianity, which is "the root of all democracy, the highest fact in the rights of man." I beseech gentlemen to remember this. As the lawgivers of a disenthralled Republic, let us not write "Infidel" on its banner, by trampling humanity and justice under our feet in these high places of power. The question is ours to decide. The right, so earnestly prayed for, is ours to bestow. The assumption set up by the white voters here of the right to decide this question is as superlatively ridiculous as it is sublimely impudent. They have no more right to vote themselves the exclusive depositaries of power in this District than the inmates of its penitentiary have to vote themselves at liberty to go at large. Congress is the sovereign and sole judge; and what the colored men here ask at our hands, for their just protection, and as their sure refuge, is the ballot, —

— "a weapon firmer set,  
And better than the bayonet;  
A weapon that comes down as still  
As snow-flakes fall upon the sod;  
But executes a freeman's will  
As lightning does the will of God."



## AMENDMENT OF THE CONSTITUTION.

HOUSE OF REPRESENTATIVES, JANUARY 29, 1866.

[The House had under consideration the Joint Resolution reported from the Committee on Reconstruction for the amendment of the Constitution. The views here expressed bearing upon the second section of the Fourteenth article of Amendment did not then prevail, but their soundness will now scarcely be questioned, and has been fully vindicated in the adoption of the Fifteenth Amendment.]

MR. SPEAKER, — Before this debate shall be concluded I desire to submit some observations which I deem important, and which I respectfully commend to the consideration of those who advocate the proposition reported by the joint committee of fifteen. How I shall finally cast my vote on that proposition I cannot now certainly decide. I find difficulties in my path; and I shall feel much obliged to any gentleman who may be able and willing to clear them away, and thus, perhaps, assist others on this floor in reaching a just conclusion. I should regret exceedingly to separate myself from those with whom I habitually act here, by opposing the measure referred to, and I must not do so without recording my reasons; and these reasons, in so far as they possess weight, may serve as my protest against whatever is objectionable in that measure should its modification be found impracticable, and I should finally give it my support as the best thing within our power.

Under the constitutional injunction upon the United States to guarantee a republican form of government to every State, I believe the power already exists in the nation to regulate the right of suffrage. It can only exercise this power through Congress; and Congress, of course, must decide what is a republican form of government, and when the national authority shall interpose against State action, for the purpose of executing the constitutional guarantee. No one will deny the authority of Congress to decide that if a State should disfranchise one third, one half, or two thirds of her citizens, such State would cease to be republican, and might be required to accept a different rule of suffrage. If Congress could intervene in such a case, it could obviously intervene in any other case in which it might deem it necessary or proper. It certainly might decide that the disfranchisement by a State of a whole race

of people within her borders is inconsistent with a republican form of government, and in their behalf, and in the execution of its own authority and duty, restore them to their equal right with others to the franchise. It might decide, for example, that in North Carolina, where 631,000 citizens disfranchise 331,000, the government is not republican, and should be made so by extending the franchise. It might do the same in Virginia, where 719,000 citizens disfranchise 533,000; in Alabama, where 596,000 citizens disfranchise 437,000; in Georgia, where 591,000 citizens disfranchise 465,000; in Louisiana, where 357,000 citizens disfranchise 350,000; in Mississippi, where 353,000 citizens disfranchise 436,000; and in South Carolina, where only 291,000 citizens disfranchise 411,000. Can any man who reverences the Constitution deny either the authority or the duty of Congress to do all this in the execution of the guarantee named? Or if the 411,000 negroes in South Carolina were to organize a government, and disfranchise her 291,000 white citizens, would anybody doubt the authority of Congress to pronounce such government anti-republican, and secure the ballot equally to white and black citizens as the remedy? Or if a State should prescribe as a qualification for the ballot such an ownership of property, real or personal, as would disfranchise the great body of her people, could not Congress most undoubtedly interfere? So of an educational test, which might fix the standard of knowledge so high as to place the governing power in the hands of a select few. The power in all such cases is a reserved one in Congress, to be exercised according to its own judgment, with no accountability to any tribunal save the people; and without such power the nation would be at the mercy of as many oligarchies as there are States. *Nationality* would only be possible by the permission of the States.

The same authority, Mr. Speaker, is claimed by eminent jurists under the constitutional amendment abolishing slavery, and giving Congress the power, by "appropriate legislation," to "enforce" the provision. The word "appropriate" appeals to legislative discretion, and the word "enforce" implies such compulsory measures as Congress may deem "appropriate" for the purpose of ridding the country of every vestige of slavery, in form and in fact. "There can be no denial," said Chief Justice Parsons not long since, "that when this whole amendment shall be adopted Congress will have the constitutional power — be its exercise of this power wise or unwise — to rend slavery out from our whole country, root and branch, leaf and fruit, and guard effectually

against its return in any form, or under any guise, or to any extent." The nation, in other words, having given freedom to four million people, can make that freedom a blessing by conferring it in substance, as well as in name. It not only can do this, but is sacredly bound to do it. The right to freedom carries with it the right of way to it, and that right of way is the ballot. Without it the freedom of these people is a delusion and a lie.

The freedmen of the South are not free, and cannot be, when left to the domination of their former masters, exasperated by their defeat in a war which outraged civilization by thus aiming to perpetuate their rule. I need not argue this proposition, because no man can dispute it without ignoring the most obvious principles of human nature, and closing his eyes to well-authenticated facts of recent occurrence in the island of Jamaica and in the States lately in revolt. Sir, every gentleman on this floor knows what a shadow and a mockery is the freedom thus far vouchsafed to the millions now declared free by the Constitution, and that to commit their fortunes to the tender mercies of white rebels would be like committing the lamb to the jaws of the wolf. But if I am right, then Congress could unquestionably place the ballot in the hands of the loyal freedmen, and thus arm them with the power of self-defense, and save them from a condition of pitiless serfdom in comparison with which slavery in its old form would be a blessing. I ask gentlemen, therefore, to remember, that should every proposed amendment of the Constitution now before this House be voted down, we shall not, I think, be wholly without a remedy for the evil we are so anxious to cure. Instead of restricting representation to actual suffrage, we can extend suffrage to actual representation, which will be far better. It is true that the power of Congress to guarantee republican governments in the States through its intervention with the question of suffrage has not hitherto been exercised; but this certainly does not disprove the existence of such power, nor the expediency of its exercise now, under an additional and independent constitutional grant, and when a fit occasion for it has come through the madness of treason. It will not be forgotten that we have entered upon a new dispensation. Slavery sleeps in its bloody shroud. Its shaping hand, as we believe, will no longer mould our national policy at home or abroad. Its evil genius will no longer inspire our public men, and give law to the nation from the supreme bench; but in the noonday radiance of universal liberty the government, I trust, in all its departments, will find its speedy deliverance from the trammels of the past. Such, at least, is my hope.

But, Mr. Speaker, I may be mistaken. We may not be able, at a single bound, to escape the benumbing influence of slavery. Our exodus from the long and sore bondage of the past may be tedious and toilsome. Our dwarfed manhood may require time and judicious tonics to restore its original vigor. I cannot feel at all confident in the opinion I have expressed, when I find so many distinguished gentlemen on this floor insisting that we are still bound by former interpretations of the Constitution, in the interest of slavery. I therefore favor a constitutional amendment which shall make certain that which may otherwise remain doubtful. But I do not see how I can consistently support the amendment reported by the joint committee, though I do not say that I will not. In the first place, it seems to me that it offends the moral sense of the country. It provides "that whenever the elective franchise shall be denied or abridged in any State on account of race or color, all persons of such race or color shall be excluded from the basis of representation." Sir, what right has any State "to deny or abridge the elective franchise on account of race or color?" To assent to such a proposition is to insult humanity and mock justice. It is, moreover, as absurd as to deny or abridge the franchise on account of the distance across the Atlantic or the height of the Alleghanies. Why not say, in the plain affirmative words of the amendment submitted by the gentleman from Massachusetts [Mr. ELIOT], that — "The elective franchise shall *not* be denied or abridged in any State on account of race or color?"

The distinguished chairman of the joint committee concedes the right of a State under the Constitution to disfranchise its citizens for such cause, and so does my friend from New York [Mr. CONKLING]. If they are right, then the very thing to be done is to *amend* the Constitution in that particular. Have we any authority to sacrifice the rights of a whole race in the South in order to save ourselves from the evils of unequal representation, and thus compound with injustice and oppression? Will the world justify us in protecting our own political rights and abridging the rights of white rebels at the expense of millions of freedmen who will thus be made the vicarious victims of our policy? Would that be an honest payment of the debt we religiously owe them? My friend from Ohio [Mr. BINGHAM] differs with his colleagues on the joint committee as to the right of a State to disfranchise her citizens, and defends the proposed amendment as a mere penalty, designed to restrain the States from violating their constitutional duty.



MR. BINGHAM: I do not admit and never have admitted that any State has a right to disfranchise any portion of the citizens of the United States, resident therein, entitled to vote for representatives under the second section of the first article of the Constitution, except as a punishment for their own crimes. A citizen may forfeit his right by crime, and the State may enforce that forfeiture. I favor this amendment as a penalty in aid of the rights guaranteed by the Constitution as it now stands.

MR. JULIAN: The gentleman misunderstands what I said. I have just stated what the gentleman from Ohio now affirms, that he defends the amendment reported by the committee as a mere penalty intended to restrain the States from striking down the rights of their citizens under the Constitution; but as we are now endeavoring to amend the Constitution, why incorporate in it a mere penalty against its violation, which at least *seems* to imply the right to violate it, if the penalty shall be accepted? Since the whole policy of the government from its beginning has yielded the right of the Southern States to disfranchise their people of color, why not provide a positive prohibition of such right? Mr. Madison declared it to be wrong "to admit in the Constitution the idea that there *can* be property in man." So I say it seems to me wrong to admit in this amendment the idea that the rights of the citizen can be taken away by reason of color or race, and that in perfecting the organic law of the nation we should avoid any phraseology which by any possibility would admit a construction so fatal to the fundamental principle of all free government. Why temporize by adopting half-way measures and a policy of indirection? The shortest distance between two given points is a straight line. Let us follow it, in so important a work as amending the Constitution. The advocates of the proposed amendment do not profess to be satisfied with it. They confess that it comes short of its purpose. They say they have another proposition in reserve which will cover the whole ground. Then why not bring it forward and let us meet it on its merits? Why yield any longer to the policy of compromise? Sir, remembering the mistakes of our fathers in the beginning, and the frightful legacy to their children which has been the result, let us be warned against any shortsighted and temporary expedients to-day. Let us bring ourselves face to face with the great demand of the nation upon us, and then appeal to the people to sanction a plain, unambiguous amendment of the Constitution, which we believe to be necessary for their future security.

But the advocates of this measure, while promising us a better, frankly tell us it is the best we can now hope to secure. They defend it on this ground, and insist that our present alternative is between its adoption, and the representation of four million loyal colored people in Congress by ex-rebels, who would utterly misrepresent their wishes and trample down their rights. To this several answers are obviously suggested.

In the first place how do you know that the broad proposition I advocate will fail in Congress, or before the people. These are revolutionary days. Whole generations of common time are now crowded into the span of a few years. Life was never before so grand and blessed an opportunity. The man mistakes his reckoning who judges either the present or the future by any political almanac of by-gone years. Growth, development, progress, are the expressive watchwords of the hour. Who can remember the marvelous events of the past four years, necessitated by the late war, and then predict the failure of further measures, woven into the same fabric, and born of the same inevitable logic? It is only a few days since this nation, speaking through its Representatives on this floor, by a vote of 116 against 54, deliberately sanctioned the very policy I urge as an amendment to the Constitution of the United States. Sir, if that policy is right in this District, shall we decline to extend it over the districts lately in revolt where far stronger reasons plead for it? Shall we distrust the people, who have been so ready to second all radical measures during the war, and now speak with such emphasis on emerging with newly anointed vision from its terrible baptism of fire and blood? And besides, how do you know, Mr. Speaker, that even the proposition reported by the committee can prevail, either in Congress or in the States? It encounters, I know, a very considerable opposition here, and I sincerely hope it may be recommitted and amended. It may encounter a greater opposition in the States. Its indirect mode of reaching a desirable result, and its apparent recognition of the infernal heresy of State sovereignty, may seriously endanger, if not totally defeat, the proposition. Sir, I hope this suggestion will not be deemed unworthy of consideration. But the question, after all, is, what amendment of the Constitution, if any, is really demanded? If we can agree as to this, then we should submit it, trusting in God, in the people, and in the great educational forces now everywhere at work, that it will prevail. Should it fail for a season, it will triumph ultimately, and in the end repay all the cost of its delay. Neither constitutional amendments nor

reforms in any other direction could make much headway, if no man should ever espouse them till the people are found prepared to accept them without opposition or dissent.

Again, Mr. Speaker, it should not be forgotten that the proposed amendment, should it prevail, must fail of its purpose till after the census of 1870. If I am not mistaken, there could be no new allotment of representatives among the Southern States prior to that time. If I am mistaken, and the Constitution will permit us to take another census whenever we choose, it will not make any practical difference, as no one proposes that measure, and if adopted, the reapportionment under the new census could not take effect sooner than the time I have named. In all these intervening years, therefore, these rebel States must have their full representation under the existing basis, or else their representatives must be kept out of Congress. If they should be admitted, prior to the passage of the amendment, there would be no coercive authority in the hands of the Executive or Congress to constrain any State to ratify the amendment, and it could not be ratified. If the Southern Representatives should not be admitted, then the evils of unequal representation would be avoided, so long as they are kept out. The object of the amendment, therefore, namely, the reduction of rebel representation in Congress and the extension of suffrage to the whole people of the South, could not be secured before the year 1870, or 1872, if the next census shall be taken at the regular time; and then it would remain for the Southern States to say whether they would give the ballot to the negroes, or still cling to that unchristian spirit of caste and lust of power which have so long been the higher law of the South. If I am correct in making these statements, much of the alleged practical significance of the proposed amendment is made to disappear, and we are thus the better prepared to demand the amendment really necessary and effective, or else such congressional action as shall grant suffrage to the people of the South, irrespective of color. Should both these measures for the present be found impracticable, I do not see that any great interest of the country will suffer in consequence, while the regular march of events and the great tidal force of public opinion will at length open the way for such action, in some form, as shall be required by the national exigency.

Finally, Mr. Speaker, I deny that the rebels of the South, who are the rulers of the South, would grant the ballot to the negro if the proposed amendment were now in full force. They would not do it, because their love of domination, their contempt for free

labor, and their scorn of an enslaved and downtrodden race are as intense as ever. They hate the negro now, not simply as the ally of the Yankee in foiling their treason, but as the author of all their misfortunes, who, having been villainously misused by them, is of course villainously despised. They hate him with a rancor that feeds unceasingly upon every memory of their humiliation and defeat. They confront him with a hatred so remorseless, withering, consuming, that it crops out to-day in every quarter of the South in deeds of outrage, violence, and crime, which find no parallel even in the atrocities practiced in that section under the old codes of slavery, which were codes of murder and all minor crimes. Can any gentleman read the late report of General Schurz, and listen to the testimony of the great cloud of concurring witnesses whose voices are now filling the land, respecting the popular feeling in the South, and then believe that the rebel class will ever, under any inducements, voluntarily give equal political rights to the freedmen? The leaders of Southern opinion openly declare that they would rather die than give the ballot to their former slaves. While it would give their section an increased representation in Congress, that representation would be secured by the votes of negroes and abolitionists, whose darling purpose would be to Yankeeize and abolitionize the entire South, and put the old slave dynasty hopelessly under their feet. And the old slave dynasty understands this perfectly. They know that negro suffrage, by checking rebel rapacity and restoring order, and thus rendering emigration from the North and from Europe a safe and practicable thing, will reorganize the whole structure of society in their region, and thus doom their pride and sloth to a hopeless conflict with the energy and enterprise of free labor. Do you tell me that men are governed by their own interests, and that the ruling class in the South, finding no other way to serve those interests, will extend suffrage to the negroes? I answer, that long-cherished and traditionary prejudices and passions are stronger than interest. It was always the true interest of the South to abolish her slavery, but she waged a horrid war to save and eternize it. She could always have increased her power in Congress by its abolition, but she loved her domination over the negro more than she loved political power. It was the interest of the Northern States, long ago, to unite in checking the aggressions and the further spread of slavery in the Union, and thereby to hasten the employment of peaceable measures in the South for its abandonment; but the Northern States, on the contrary, became the allies of the slave breeders in



fortifying and extending their rule on this Continent. It was the interest of our first parents not to sin, but the devil proved too much for them. Sir, the argument of interest will not do. Passion is stronger than interest, because, being blind, it does not perceive the best good. Before I agree to intrust the freedmen to the interest of their old masters, I want to know that they understand what their interest is, and that they have so far outlived their prejudices that they will follow it. I think no gentleman on this floor can feel sure on these points. What we want, what the nation needs for its own salvation, is a constitutional amendment, or a law of Congress, which shall *guarantee* the ballot to the freedman of the South. This is not simply his equal political right as a citizen, but his natural right as a man. As I have argued on another occasion, a voice in the government which deals with property, liberty, and life, is not a "privilege," but a *right*, and as natural, as indefeasible as the right to life itself. Government cannot rightfully withhold it, but is as sacredly bound to secure it to all men, regardless of race or color, as it is bound to secure other rights which are accorded to them by common consent as natural. In this view I am very glad to find myself sustained by some of the ablest men in this House. Our fathers affirmed, as a self-evident truth, that all men are endowed by their Creator with the right to life, liberty, and the pursuit of happiness; and that governments are instituted among men to *secure* these rights, deriving their just powers from the consent of the governed. Sir, let us not shrink from the practical vindication of this truth. Let us recognize no such anomaly in our free system of government as a disfranchised citizen, innocent of crime, but prize the franchise as so sacred that a man without it shall everywhere, and of necessity, wear the brand of a convicted enemy of society. Let us not preach a mere lip-democracy, while we confess by our acts our faith in the maxims of despotism. Let us not, with the warnings of the past before us, still continue to deny the very gospel of our political salvation, and arm the absolutists of the Old World with weapons fatal to every just theory of republicanism. Let us not make enemies and outlaws of four million people, among whom no traitor or sympathizer with treason has ever yet been found; who were eager to help us from the very beginning of our struggle, and as soon as we were ready gladly furnished nearly two hundred thousand soldiers to aid in saving the nation's life; and who, if allowed justice at our hands, will be found in the future, as they have been in the past, our effective auxiliaries and most faithful friends. Above all, let us

remember, for our own sake as well as that of the colored race, that Justice is omnipotent; that her demands must be met to the uttermost farthing, and cannot be slighted without offending the Most High; and that if, when our pathway is lighted up by the fires of a stupendous civil war, which the whole world interprets as the avenger of these wronged millions, we now turn a deaf ear to their cries, our guilt as a nation, and our retribution, will find no precedent in the annals of mankind.

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## THE PUNISHMENT OF REBEL LEADERS.

HOUSE OF REPRESENTATIVES, APRIL 30, 1866.

[The Faculty of Washington College, Virginia, last year (1870) proposed so to amend its charter as "to express in fit conjunction the immortal names of *Washington* and *Lee*, whose lives were so similar in their perfect renown." This was perfectly natural, in so far as the government has done nothing to brand treason as a crime, while making haste to remove the political disabilities imposed by the Fourteenth Constitutional Amendment. Let the reader consider the state of the South since the close of the war, growing constantly worse, and culminating in the widespread horrors of organized secret murder by the Ku-Klux, and then say whether this lawlessness would have had free course if the principles and policy here so earnestly pressed had been carried out ?]

THE House had under consideration the following resolution : —

*Resolved* (as the deliberate judgment of this House), That the speedy trial of Jefferson Davis, either by a civil or military tribunal, for the crime of treason and the other crimes of which he stands charged, and his prompt execution, if found guilty, are imperatively demanded by the people of the United States, in order that treason may be adequately branded by the nation, traitors made infamous, and the repetition of their crimes, as far as possible, be prevented.

MR. JULIAN said :

MR. SPEAKER, — In demanding the punishment of the chief rebel conspirators I beg not to be misunderstood. I do not ask for vengeance. I feel sure there is no man in the country, however intense his loyalty, who would inflict the slightest unnecessary suffering, or any form of cruelty, upon even the most flagitious of the confederate leaders. What the nation desires, and all it asks, is the ordinary administration of justice against the most extraordinary national criminals. The treason spun from their brains, and deliberately fashioned into the bloody warp and woof of a four years' war, and the winding-sheet of a half million of men, ought to be branded by the nation as a crime. It ought to be made "odious" and "infamous." The Constitution provides for its punishment; and I am just as unwilling to see the Constitution set aside and made void in this respect, in the interest of vanquished rebel leaders, as I was to see it trampled under foot by their armed legions while the war continued. Indeed, the

punishment of these leaders is a necessary part of the logic of their infernal enterprise, and without it the rebellion itself, instead of being effectually crushed, must find a fresh incentive to renew its life in its impunity, from the just consequences of its guilt. It will not do to say these leaders have been sufficiently punished already, by the failure of their treason, the loss of their coveted power, and their humiliation, poverty, and disgrace. Kindred arguments would empty our jails and penitentiaries, and make the administration of criminal justice everywhere a farce. The way of all transgressors is hard; but this hardship cannot justify society in failing to protect itself by fitly chastising its enemies. Justice to the nation whose life has been attempted, and to the assassins who made the attempt, is the great demand of the hour.

And here again, Mr. Speaker, I hope I shall be understood. In pleading for justice I mean of course public justice, which seeks the prevention of crime by making an example of the criminal. Human laws do not pretend to fathom the real moral guilt of offenders. They have no power to do this. Their sole aim is the prevention of crime. They have nothing to do with that retributive justice which graduates the punishment of each transgressor by the exact measure of his guilt. To the great Searcher of all hearts belongs this prerogative, while society, acting through government as its agent, and having an eye single to its own protection, must deal with its criminals. This, sir, is my reply to the plea often urged that we should not hang the rebel leaders, because we cannot also hang the leading sympathizers of the Northern States who are perhaps more guilty. The government has nothing to do with the question of degrees of moral guilt or blameworthiness, either in the North or the South. Its concern is with the nation's enemies whose overt acts of treason have made them amenable to the laws, and whose punishment should be made a terror to evil doers hereafter. The fact that our power of punishment cannot reach all who are guilty, including many men in the loyal States who richly deserve the halter, is no reason whatever for allowing those to go unwhipped who are properly within the reach of public justice.

And the same reasoning applies to the argument sometimes urged against all punishment, founded on the numbers who would fairly be liable to suffer. The question is frequently asked, Would you build a gallows in every village and neighborhood of the South? Would you shock the Christian world by the spectacle of ten thousand gibbets, and the hanging of all who have been



guilty of treason, or even a respectable fraction of their number? I answer, I would do no such thing. Public justice and the highest good of the State do not require it. I would simply apply the ordinary rules of criminal jurisprudence to the question, and as in other conspiracies, so in this grand one, I would mete out the severest punishment to the ringleaders. Most undoubtedly I would give them a constitutional entertainment on the gallows; or should the number of ringleaders be too great, or the guilt of some of them be less flagrant than others, perpetual exile might be substituted. The rebel masses, both on the score of their numbers and their qualified guilt, should have a general amnesty; but by no possible means would I spare the unmatched villains who conceived the bloody project of national dismemberment, and by their devilish arts lured into their horrid service the ignorant and misguided people of their section. Whoever may escape justice, either North or South, or whatever embarrassments may belong to the problem of punishment at the end of this stupendous conflict, nothing remains so perfectly clear and unquestionable as the duty of the nation to execute the great malefactors who fashioned to their uses all the genius and resources of the South, and throughout the entire struggle invoked all the powers of hell in their work of national destruction.

Mr. Speaker, the adequate punishment of the rebel leaders involves the whole question of the rebellion itself. It is not a matter which the government may dispose of indifferently, but is vital to the nation's peace, if not to its very existence. To trifle with it is to trifle with public justice and the holy cause for which the country has been made to bleed and suffer. It is to mock our dead heroes, and confess our own pusillanimity or guilt. It is to make treason respectable, and put loyalty under the ban. It is to call evil good and good evil; and since God is not to be mocked, it must in some form bring down upon our own heads the retribution which we may only escape by enforcing the penal laws of the nation against the magnificent felons who have sought its life.

Sir, I shall take it for granted that treason is a crime, and not a mere accident or mistake. In this most frightful and desolating struggle there is transcendent and unutterable guilt; and I take it for granted that that guilt is on the side of those who wantonly and causelessly took up arms against the nation, and not on the side of those who fought to save it from destruction. Treason is a crime, and therefore not a mere difference of opinion; a crime, and therefore not an honest mistake of judgment about the right

of a State to secede ; a crime, and therefore not a mere struggle of the South for independence while the North contended for empire ; a crime, and therefore not a mere "misapprehension of misguided men," as some of our Copperhead journals affirm ; a crime, and the highest of all crimes, including all lesser villainies, and eclipsing them all, in its heaven-daring leap at the nation's throat ; and therefore those who withstood it by arms were patriots and heroes, fighting for nationality and freedom, against rebels whose sure and swift punishment should be made a warning against the repetition of their deeds.

Mr. Speaker, if a man were to come into our midst and persuade us that treason and loyalty are about the same thing ; that right and wrong, good and evil, virtue and vice, are convertible terms ; that God and Satan are in fact the same personage, under different names, and that it matters little under whose banner we fight ; and if he could thus enlist us in the work of uprooting the foundations of government, of morals, of society, of everything held sacred among men, would he not be the most execrable creature in the universe ? If he could indoctrinate mankind with his theory of "reconstruction," would not this beautiful earth of ours be converted into a first-class hell, with the devil as its king ? Sir, you dare not trifle with this question of the punishment of traitors. Theory goes before practice. Right believing, on moral or political issues, precedes right acting ; and you touch the very marrow of the rebellion when you approach the question of the punishment of the rebels. Sir, there is not a State in this Union, nor a civilized country on earth, which in the treatment of its criminals sanctions the sickly magnanimity and misapplied humanity of this nation in dealing with its leading traitors. No civilized government, in my judgment, could possibly be maintained on any such loose and confounded principles. Crime would have unchecked license, and public justice would not even be a decent sham. No man will dispute this, or fail to be amazed that, in dealing with our red-handed traitors, whose crimes are certainly unsurpassed in history, and have filled the land with sorrow and blood, we utterly decline to execute against them the very Constitution which they sought to overturn by years of wholesale rapine and murder.

Sir, this fact is at once monstrous and startling. We seize the murderer who only takes the life of one man, indict him, convict him, and then hang him. Undoubtedly some murderers escape punishment through pardons and otherwise, but certainly the penalty of death is inflicted in most countries. The pirate, who boards

a vessel on the sea, and murders a few sailors, is "chased by the civilized world to the gallows." The plea in his behalf of magnanimity to a vanquished criminal would not save him, and his friends would scarcely urge it. Public justice demands the sacrifice of his life, and no one expects him to be spared if fairly convicted. But Jefferson Davis is no ordinary assassin or pirate. He did not murder a single citizen, but hundreds of thousands of men. He did not board a ship on the sea and murder a few sailors, but he boarded the great ship of State, and tried, by all the power of his evil genius, to sink her, cargo and crew, with the hopes of the world forever, into the abyss of eternal night. And is not his guilt as much greater than that of an ordinary assassin or pirate as the life of a great republic is greater than the life of one man? Was not each one of these leaders a national assassin, aiming his bloody dagger at the country's vitals, and is not his guilt multiplied by the millions whose interests were imperiled? And shall justice only be defied by the world's grandest villains and outlaws, and Mercy defile herself by taking them into her embrace?

Mr. Speaker, Jefferson Davis was a favored child of the Republic. He had been educated at the nation's expense, and upon him had been lavished the honors and emoluments of office. He owed his country nothing but gratitude and fidelity, and no man understood these obligations better than himself. Again and again he had asked his Maker to witness that he would be faithful to the Constitution, which at the time he was plotting to destroy. Long years before the rebellion he had been inoculating the public opinion of the South with the poison of his heresies, and secretly hatching his treason in the foul atmosphere which he helped to create. His perfidy was most cold-blooded, deliberate, and premeditated. In order to blast the government of his fathers, and establish upon its ruins a confederacy with slavery as its cornerstone, he has ruthlessly wrapped his country in fire and blood. He has wantonly destroyed the lives of more than two hundred and fifty thousand soldiers, who gloriously perished in resisting his treason in arms. He has maimed and crippled for life more than two hundred and fifty thousand more. He has duplicated these atrocities in his own section of the Union. He has organized grand conspiracies in the North and Northwest to lay in rapine and blood the towns and cities and plantations of the whole loyal portion of the land. He has put to death, by the slow torture of starvation in rebel prisons, sixty thousand brave men who went forth to peril their lives in saving the country from his

devilish crusade against it. He has deliberately sought to introduce into the United States and to nationalize among us pestilence, in the form of yellow fever ; an enterprise which, had it succeeded, would have startled the very heavens above us with the agony and sorrow it would have lavished upon the land. He stands charged by the government with the murder of the President of the United States, and that charge, as I am well assured, is amply verified by proofs which will very soon be given to the public, and awaken a stronger and sterner demand for his punishment. He has instigated the burning of our hotels. He has planted infernal machines in the tracks of his armies. He has poisoned our wells. He has murdered our wounded soldiers. He has made drinking cups of their skulls and jewelry of their bones. He has spawned upon the world atrocities so monstrous as to defy all definition, and which nothing but the hot incubation of the slave power, as the ripe fruit of its two hundred years of diabolism, could have warmed into life. Sir, he has done everything, by the help of his confederates, that an incarnate demon could do to let loose "the whole contagion of hell," and convert his native land into one grand refuge of devils.

Mr. Speaker, the pardon of a criminal so transcendently guilty would be an act in itself strongly partaking of treason against the nation. It would be at once a monstrous denial and a frightful mockery of justice. Do you plead for mercy to the great confederate assassin ? I refer that plea to the Father of Mercies, who, I believe, only pardons on condition of repentance ; and as yet I have heard of no rebel leader who even professes penitence for his crimes. Sir, I repudiate, as counterfeit, the mercy which can only be exercised by trampling justice under our feet, while it forgets both justice and mercy to the millions who have been made to mourn through stricken lives by the human monsters who plunged our peaceful country into war. The loyal people of the nation demand that they be dealt with as criminals. For myself, I would not have a civil trial for the leader of a belligerent power, which has maintained a public war against us for years. The nation cannot afford to submit the question of the right of a State to secede to a jury of twelve men in one of the rebel States, and a majority of them traitors, under an implied alternative that if they fail to convict the government itself would stand convicted of half a million murders. After the nation has established its right to exist by a four years' war, it cannot put that right on trial by a jury of its conquered enemies, or any earthly tribunal. Sir,



let Jefferson Davis be tried by a military court, as he should have been, promptly, at the time other and smaller offenders were dealt with a year ago. Let him have the compliment of a formal inquiry to determine what the whole world already knows, that he is immeasurably guilty. And when that guilt is pronounced let the government erect a gallows, and hang him in the name of the Most High. I put aside mercy on the one hand, and vengeance on the other, and the simple claim I assert, in the nation's behalf, is justice. In the name of half a million soldiers who have gone before their Maker as witnesses against "the deep damnation of their taking off;" in the name of our living soldiers, who have waded through seas of fire in deadly conflict with rebels in arms; in the name of the Republic, whose life has only been saved by the precious offering of multitudes of her most idolized children; in the name of the great future, with its procession of countless generations of men, whose fate to-day swings in the balance, awaiting the example you are to make of treason, I demand the execution of Jefferson Davis. The gallows is the symbol of infamy throughout the civilized world, and no criminal ever earned a clearer right to be crowned with its honors.

Sir, I ask why the Constitution should be mocked when it demands his life? What right have the authorities of the government to cheat the halter out of his neck? Not for all the honors and offices of this nation, not for all the gold and glory of the world, would I spare him if in my power; for I would expect the ghosts of three hundred thousand murdered soldiers to haunt my poor cowardly life to the grave. As I have said already, the punishment of the rebel conspirators is a necessary part of the work of suppressing the rebellion. Their treason was deliberately aimed at the cause of free government on earth, and they are justly to be classed among the guiltiest wretches whose crimes ever drenched the earth in blood. Every one of them should have a felon's death. The grave of every one of them should be made a grave of infamy, and the cause they served should be pilloried by all the ages to come. Sir, if you discharge the confederate chiefs because of the very magnitude of their work of carnage, you offer a public license to treason hereafter. You say to turbulent and seditious spirits everywhere that they have full liberty, when it may suit their convenience, to levy war against the nation, and that while it may lead their deluded followers to wholesale slaughter, *they* shall be allowed to escape. You say that although the nation participated in the hanging of John Brown as a traitor,

for the crime of loving liberty "not wisely, but too well," that same nation, which has copied John Brown's example in emancipating slaves by military power, shall turn loose upon society the hideous monster who waged war to establish and eternize a mighty slave empire on the ruins of our free institutions. And you speak it in the ear of the nations as your deliberate estimate of the value of free government, whose very life is the breath of the people, that the bloody conspirator who seeks to destroy it by the hand of war is undeserving of punishment, and consequently innocent of crime.

Mr. Speaker, can we, dare we, hope for the favor of God in thus confounding the distinction between right and wrong, between treason and loyalty, and forgetting that government is a divine ordinance, whose authority can only be maintained by enforcing obedience to its mandates? I speak earnestly, because I feel deeply, on this question of the punishment of leading traitors. The grand peril of the hour comes from the mistake of the government on this point. During the war our deserters and bounty-jumpers were executed. Our brave boys, overcome by weariness, who fell asleep at their posts as sentinels, were shot. A year ago the miserable tools of Davis and Lee, selected for their infernal deeds because of their known fitness to perform them, were summarily tried and hung. But in no solitary instance has treason yet been dealt with as a crime. Pardon, pardon, pardon, has been the order of the day, as if the government desired to make haste to apologize for its mistake in fighting traitors, and wished to reinstate itself in their good opinion. Beccaria, in his celebrated "Essay on Crimes and Punishments," says that "clemency is a virtue which belongs to the legislator, and not to the executor of the laws; a virtue which ought to shine in the Code, and not in private judgment. To show mankind that crimes are sometimes pardoned, and that punishment is not the necessary consequence, is to nourish the flattering hope of impunity, and is the cause of their considering every punishment inflicted as an act of injustice and oppression. The prince, in pardoning, gives up the public security in favor of an individual, and by ill-judged benevolence proclaims a public act of impunity."

Dr. Lieber says, that "every pardon granted upon insufficient grounds becomes a serious offense against society, and he that grants it is, in justice, answerable for the offenses which the offender may commit, and the general injury done to political morality by undue interference with the law." With these wise and just sen-

timents the President of the United States, on accepting his high office, perfectly agreed. He declared that mercy to the individual is often cruelty to the State. He said, that "robbery is a crime, murder is a crime, treason is a crime, and crime must be punished." He said, that "treason must be made odious, and traitors impoverished," and he reiterated and multiplied these declarations on very many occasions which were offered him for weeks and months following his inauguration. He repeatedly referred, approvingly, to his past record, covering declarations in favor of hanging the leading traitors, in favor of dividing up their great plantations into small farms for honest and industrious men, without regard to color, and in favor of breaking up the great aristocracy of the South, and compelling the rebels to "take the back seats in the work of reconstruction." For a season the whole loyal country was electrified by the clear ring of his words, while rebels were as completely palsied and dumb. They understood the new President quite as little as his loyal friends. They expected no quarter, and studiously sought their pleasure in the will of the Executive. They would have assented gladly to any terms or conditions of reconstruction dictated by him, including even negro suffrage. Having staked all on the issues of war and lost, they felt that they were entitled only to such rights as the conqueror might see fit to impose.

Sir, this golden season was sinned away by the President, and that systematic recreancy to his pledges and record which has marked his subsequent career, has brought the country into the most fearful peril. The responsibility is upon him, and it must be measured by the magnificent opportunity which the situation afforded him for an easy solution of our national difficulties, and at the same time a solid and permanent reconstruction of the South. "No important political movement," says a famous English writer, "was ever obtained in a period of tranquillity. If the effervescence of the public mind is suffered to pass away without effect, it would be absurd to expect from languor what enthusiasm has not obtained. If radical reform is not, at such a moment, procured, all partial changes are evaded and defeated in the tranquillity which succeeds." These are suggestive and solemn words, and the reflection is a very sad one that the nation to-day would have been saved and blest if the President had heeded them. He disobeyed the divine command to "execute justice in the morning," and did not even remember the heathen maxim, that "the gods themselves cannot save those who neglect opportunities."

Sir, while I dislike the occupation of an alarmist, I must say that I have seen few darker seasons than the present since the first battle of Bull Run. The President has not kept the faith. He has not favored the hanging of a single rebel leader. He has not made treason infamous, nor impoverished traitors. He has not favored the confiscation of rebel estates, and their distribution among the poor. He has not required traitors to take the back seats in the work of reconstruction. He has not coöperated with Congress in placing the governing power of the South and of the nation in the hands of loyal men. He has not shown himself the "Moses" of our loyal colored millions in leading them out of their grievous bondage. He has done the opposite of all these. The "Richmond Times," the leading organ of treason in Virginia, says that "in his course toward the mass of those who supported the Southern Confederacy the President has been singularly magnanimous and wisely lenient. Nine tenths of those who for four years, with unparalleled gallantry upheld the confederacy, have long since been unconditionally pardoned. The cabinet officers who counseled the president of the confederacy, the congressmen who enacted those stringent conscript and imprisonment laws which kept up our armies, and many distinguished generals of the confederate armies, have either been formally pardoned, or been released upon parole, and no one dreams that they will ever be molested in person or estate. The military bastiles of the country, with one exception, have long since been thrown open, and the distinguished confederate officers who were confined in them have been restored to their friends and families." And these Virginia traitors who thus damn our President by their encomiums openly demand the unconditional release of Jefferson Davis from prison. Judging the President by the logic of his policy thus far, the demand will be complied with. When he decided, nearly a year ago, against the trial of Davis by a military court, he virtually decided that his treason should go unpunished; for no jury of Southern rebels would ever find a verdict of guilty, and the trial itself would only be an insult to the nation. Jefferson Davis, I doubt not, is to be restored to his family and friends, and the argument of consistency demands it at the hands of the President.

Robert E. Lee, whose spared life has outraged the honest claims of the gallows ever since his surrender, is running at large, perfectly unmolested and safe from all harm. Black with treason, perjury, and murder, guiltier by far than the Christless wretch who obeyed his orders in starving our soldiers at Andersonville, he goes



his way in peace, while the government, in this monstrous and appalling fact, confesses to the world that treason is unworthy of its notice. He is president of a Virginia college, and teacher of her youth. He visits Washington, and tenders his advice to our public men about the work of restoring the Union. He goes before the reconstruction committee and gives his testimony, as if an oath could take any possible hold upon his seared conscience; and all that can be said is, that his unpunished crimes are doing precisely as much to make the government infamous, as the government itself has done to make those crimes respectable. The Legislature of Virginia indorses him as a fit man for governor, and the champions of this proposition visit our Republican President, laud his principles and policy, and take the *front* seats in the house of his friends.

The vice-president of the Southern Confederacy is likewise at large, and has been elected a Senator in Congress from his State. He also visits Washington, and gives his testimony before the joint committee of fifteen. Like the other leading traitors he very naturally "accepts the situation," because he could not do otherwise, but he shows not the smallest token of penitence, says the rebels were in the right, and seems wholly unconscious of his real character as simply an unhung traitor, whose advice and opinions we shall only accept at their value. Leading traitors are not only pardoned by wholesale, but they hold nearly all the places of power and profit in the South. They are made governors, judges, postmasters, revenue officers, and are likewise frequently chosen to represent their cause in Congress; and the President, our distinguished Secretary of the Treasury, and the Postmaster General, have all openly trampled under their feet the law of Congress requiring a test oath, in order that rebels might fill these offices, and on the false pretense that loyal men could not be found qualified to fill them in a country which furnished more than forty thousand loyal white soldiers during the war. As might naturally be expected under this system of reconstruction, loyal men are more unsafe in the revolted districts now than they were before the war, while the condition of the negroes in very many localities is more pitifully deplorable than that of their former slavery. So intense and wide-spread is the feeling of hostility to the Union in these regions that loyalty is branded as both a crime and a disgrace, while even Wilkes Booth is regarded as a martyr, and his pictures hang in the parlors of "Southern gentlemen" whose children are called by his name.

Nor am I surprised at the audacity of the rebel leaders. Neither do I complain, or blame them. They do not disguise their real character and opinions, because they have been made sure of the executive favor. With the President resolutely on the side of Congress in this crisis, a very different exhibition of feeling and policy would have been developed in the South. The danger now at our doors would never have appeared. The prospect of another bloody war to complete the work which we supposed already accomplished would never have alarmed the country. The President, at the end of a conflict of four years, has deserted the loyal millions who crushed the rebel cause, and joined himself to that very cause which is now borrowing new life from the fertilizing sunshine of his favor, reasserting its old heresies, and renewing its treasonable demands. This is at once the root and source of our present national troubles, the prophecy and parent of whatever calamity may come. He not only opposes the will of the nation, the *policy* of the nation, as expressed through Congress, but he brands as traitors before a rebel mob leading and representative men in both Houses, who are as guiltless of treason as the great majority with whom they act. Not content with the good fellowship of the men who began the war and fought us with matchless desperation to the end, he unites with them in branding loyalty itself as treason, while he employs the power and patronage of his high office in rewarding his minions, and opposing the very men who made him their standard-bearer along with Abraham Lincoln, in the faith that his loyalty was unselfish and sincere. In fact, every phase of the presidential policy, as latterly displayed, confounds the difference between loyal and disloyal men, and gives aid and comfort to the rebels by mitigating or removing the just consequences of their crimes.

Mr. Speaker, this policy, utterly fatal to the nation's peace, as I have shown, must be abandoned. The government cannot wholly undo the mistakes of the past, but it can do much for the future, and save the loyal cause, if the people who see the threatened danger will set themselves to work so resolutely as to compel a change. In God's name let this be done. Let the people speak, for the power is in their hands, and if faithful now, as they proved themselves during the war, justice will prevail. Let them thunder it in the ears of the President that the nation cannot be saved, nor the fruits of our victory gathered, if in the settlement of this bloody conflict with treason right and wrong are confounded, and public justice trampled down. This is the duty of the loyal mill-

ions, and here lies the danger of the hour. It is just as impossible for the country to prosper if it shall sanction the present policy of the Executive, as it is for a man to violate a law of his physical being and escape the consequences. The demands of justice are as inexorable as the demands of natural law in the material world ; and the moral distinctions which God himself has established cannot be slighted with the least possible impunity by individuals or nations. There is a difference, heaven-wide, between fighting for a slave empire and fighting for freedom and the universal rights of man. The cause of treason and the cause of loyalty are not the same. Perjury is not as honorable as keeping a man's oath. The black flag of slavery and treason was not as noble a standard to follow as that of the Stars and Stripes. The leading traitors of the South should not have the same honorable treatment and recognition as the patriot heroes of the Union. The grandest assassins and cut-throats of history should not defraud the gallows, while ordinary murderers are hung. Jefferson Davis should not have the same honorable place in history as George Washington. Benedict Arnold was not the *beau ideal* of a patriot, nor was Judas Iscariot "a high-souled gentleman and a man of honor," nor even "a misguided citizen of his country who engaged in a mistaken cause." The green mounds under which sleep our slaughtered heroes are not to have any moral comparison with the graves of traitors. The "throng of dead, led by Stonewall Jackson," are not to "contribute equally with the noble spirits of the North to the renown of our great Republic." Truth and falsehood, right and wrong, heaven and hell, are not mere names which signify nothing, but they pertain to the great veracities of the universe ; and the throne of God itself is immovable, only because its foundations are justice.

## RADICALISM THE NATION'S HOPE.

HOUSE OF REPRESENTATIVES, JUNE 16, 1866.

[At this date the course of events had forced the question of negro suffrage in the South upon the serious consideration of Congress. It was not possible longer to evade it, and the path of duty was perfectly plain. The timid policy of Conservatism, which still stood in the way, called forth this vigorous plea for political courage, in applying the principles of radical democracy to the work of governing the States lately in revolt.]

MR. SPEAKER, — The conflict going on to-day between Conservatism and Radicalism is not a new one. It only presents new phases, and more decided characteristics in its progress toward a final settlement. These elements in our political life were at war long years prior to the late rebellion. After the old questions concerning trade, currency, and the public lands had ceased to be the pivots on which our national policy turned, and were only nominally in dispute, Conservatism put them on its banner, and shouted for them as the living issues of the times, while intelligent men everywhere saw that the real and sole controversy was that very question of slavery which the leaders of parties were striving so anxiously to keep out of sight. Conservatism stubbornly closed its eyes to this truth. If it ever took the form of Radicalism it was in denouncing the agitation of the subject. It believed in conciliation and concession. It preached the gospel of compromise. Professing hostility to slavery, it paraded its readiness to yield up its convictions as a virtue. Resistance to aggression and wrong it branded as fanaticism or wickedness, while it was ever ready to purchase peace at the cost of principle. This policy of studiously deferring to the demands of arrogance and insolence, this dominating love of peace and cowardly dread of conflict, this yielding, and yielding, and yielding, to the exactions of the slave interest, naturally enough fed and pampered its spirit of rapacity, and at last armed it with the weapons of civil war. Such will be the unquestioned and unquestionable record of history; and no record could be more blasting, as it will be read in the clear light of the future. To us belongs the privilege of taking counsel from the lesson in dealing with the yet unsettled problems of the crisis.



But Radicalism assumed a directly antagonistic position. It did not believe in conciliation and compromise. It did not believe that a powerful and steadily advancing evil was to be mastered by submission to its behests, but by timely and resolute resistance. The Radicals, under whatever peculiar banner they rallied, thought it was their duty to take time by the forelock ; and with prophetic ears they heard the footfalls of civil war in the distance, forewarned the country of its danger, and pointed out the way of deliverance. In the ages to come freedom will remember and cherish them as her most precious jewels ; for had they been seconded in their earnest efforts to rouse the people and to lay hold of the aggressions of slavery in their incipient stages, the black tide of Southern domination which has since inundated the land might have been rolled back, and the Republic saved without the frightful surgery of war. This exalted tribute to their sagacity, and their fidelity to their country, will be the sure award of history ; and its lesson, like that of Conservatism, commends itself to our study.

But the war at length came, and with it came the same conflict between Conservatism on the one hand and Radicalism on the other. Their antagonisms put on new shapes, but were as perfectly defined as before. The proof of this is supplied by facts so well known, and so painfully remembered by all loyal men, that I need scarcely refer to them. Conservatism, in its unexampled stupidity, denied that rebels in arms against the government were its enemies, and declared them to be only misguided friends. The counsel it perpetually volunteered was that of great moderation and forbearance on our part in the conduct of the war. It denied that slavery caused the war, or should in any way be affected by it. It insisted that slavery and freedom were "twin sisters of the Constitution," equally sacred in its sight, and equally to be guarded and defended at all hazards. Its owlish vision failed to see that two civilizations had met in the shock of deadly conflict, and that slavery at last must perish. Even down to the very close of the contest, when the dumbest minds could see the new heavens and the new earth which the rebellion had ushered in, Conservatism madly insisted on "the Constitution as it is and the Union as it was." Its idolized party leaders and its great military heroes were all men who believed in the divinity of slavery, whose hearts were therefore on the side of the rebellion, and whose management of the war gave proof of it. And every man of ordinary sense and intelligence knows that just so long and so far as Conservative counsels prevailed, defeat and disaster followed in our steps, and that if

these counsels had not been abjured, the black flag of treason would have been unfurled over the broken columns and shattered fragments of our republican edifice. Let this also be remembered in digesting a policy for the future.

But here, again, Radicalism squarely met the issue tendered by the Conservatives. That slavery caused the war and was necessarily involved in its fortunes it accepted as a simple truism. Its theory was that the rebellion *was* slavery, in arms against the nation, and that to strike it was to strike treason, and to spare it was to espouse the cause of the rebels. In the very beginning of the conflict Radicalism comprehended the situation and the duty. It understood the foe, utterly scouted the idea of a "war on peace principles," and demanded the employment of all the powers of war in the accomplishment of its purpose. It understood the conflict as not simply a struggle to save the Union, but a grand and final battle for the rights of man, now and hereafter; and it believed that God would never smile upon our endeavors till we accepted it as such. Radicalism therefore demanded the repeal of all laws which had been enacted to uphold and fortify slavery. It demanded the arming of the slaves against their old tyrants. It demanded emancipation as a moral and a military necessity, and a policy of the war so broadly and systematically anti-slavery as to meet the rebel power in the full sweep of its remorseless crusade against us. Its trust was in the justice of our cause and the favor of the Almighty; and just so soon as the government turned away from its Conservative friends and joined hands with Radicalism, our arms were crowned with victories, which followed each other till the rebel power lay prostrate at our feet.

But, Mr. Speaker, the war is over. So at least we are informed by the President; and with the glad return of peace comes once more the same issue between Conservatism and Radicalism, and more clearly marked than ever before. Conservatism, true to the logic which made it the ally and handmaid of treason all through the war, now demands the indiscriminate pardon of all the rebel leaders. It recognizes the revolted States as still in the Union, in precisely the same sense as are the loyal States, and restored to all their rights as completely as if no rebellion had happened. It opposes any constitutional amendment which shall deprive the rebels of the representation of the freedmen in Congress, who have no voice as citizens, and thus sanctions this most flagrant outrage upon justice and democratic equality in the interest of unrepentant traitors. It opposes the protection of the millions of loyal colored

people of the South through the agency of a Freedmen's Bureau, and thus hands them over to starvation, and scourgings, and torture, by their former masters. It opposes, likewise, the Civil Rights Bill, which seeks to protect these people in their right to sue, to testify in the courts, to make contracts, and to own property. It opposes, of course, with all bitterness, the policy of giving the freedmen the ballot, which "is as just a demand as governed men ever made of governing," and should be accorded at once, both on the score of policy and justice. In short, it seeks to make void and of non-effect, for any good purpose, the sacrifice of more than three hundred thousand lives and three thousand millions of money, by its eager service of the heaven-defying villains who causelessly brought this sacrifice upon the nation.

But on all these points Radicalism takes issue. It holds that treason is a crime, and that it ought to be punished. While it does not ask for vengeance, it demands public justice against some at least of the rebel leaders. It deals with the revolted States as outside of their constitutional relations to the Union, and as incapable of restoring themselves to it except on conditions to be prescribed by Congress. It demands the immediate reduction of representation in the States of the South to the basis of actual voters, and the amendment of the Constitution for that purpose. It favors the protection of the colored people of the South, through the Freedmen's Bureau and Civil Rights bills, as necessary to make effective the constitutional amendment abolishing slavery. And for the same reason, Radicalism, when not smitten by unnatural fear or afflicted by policy, demands the ballot as the right of every colored citizen of the rebellious States. Such have been the issues between Conservatism and Radicalism, some of which are disposed of by time; and they are all in fact side issues, save the grand and all-comprehending one of suffrage. Let this be settled in harmony with our democratic institutions, and all else will be added.

And in dealing with this problem, Mr. Speaker, whose counsel shall we follow? Shall we be guided by Conservatism, which paved the way for the rebellion by its policy of concession and compromise, which would have handed the country over to the rebels when the war was upon us if its policy had been adhered to, and to-day would give to the winds the fruits of our victory? Or shall our guide be that same Radicalism which would have averted the rebellion if its counsel had been heeded, which alone saved us when war came, and now asks us to accept its inevitable logic in seeking a true basis of peace? Can a loyal man hesitate

in his answer? Sir, we can neither stand still nor take any backward step. For myself, at least, I shall press right on; and my strong faith is that the loyal people of the country will not madly attempt a halt in that grand march of events through which the hand of Providence is so visibly guiding the nation to liberty and lasting peace.

Mr. Speaker, of all the questions pertaining to the late rebellion which have been so much debated, it seems to me none could be more perfectly simple and unembarrassed than that of giving the ballot to the freedmen of the South. This would be conceded at once, if it were possible to forget the institution of slavery, and the foul legacy of prejudice and hate which it has bequeathed to us all. I believe the present discussions of the subject and our gingerly reluctance to face the issue squarely, will hereafter be set down among the curiosities of American politics. Sir, what is the proposition? It is simply to extend our democratic institutions over the States recently in revolt, which have been overpowered by our arms, and are now subject to the national jurisdiction. The mass of the white people of the South, including those who have been in arms against the government, have the ballot; and there is no pending proposition to deprive them of it. But we imagine insuperable difficulties in the way of giving it to the colored people, who constitute the majority in several States, who have been universally loyal, and have furnished a strong body of soldiery in the war for the Union. Can this, indeed, be true?

Alexander Hamilton, in the fifty-fourth number of the "Federalist," speaking of the slaves, says: "It is admitted that if the laws were to restore the rights which have been taken away, the negroes could no longer be refused an equal share of representation with the other inhabitants." Most certainly he was right. Why then shirk the question? Would we do so if these colored men were white? No man will pretend it. Why not secure the ballot to the men who have been restored to their rights through the treason of their masters? "Liberty, or freedom," says Dr. Franklin, "consists in having *an actual share* in the appointment of those who frame the laws and who are to be the guardians of every man's life, property, and peace; for the *all* of one man is as dear to him as the *all* of another; and the poor man has an *equal* right, but *more* need, to have representatives in the Legislature than the rich one." And he goes on to say: "That they who have *no* voice nor vote in the electing of representatives *do not enjoy* liberty, but are absolutely *enslaved* to those who *have* votes, and to



their representatives ; for to be enslaved is to have governors whom *other men have set over us*, and be subject to laws *made by the representatives of others*, without having had representatives of our own to give consent in *our* behalf." This, in different words, is the doctrine of James Otis, that "taxation without representation is tyranny," and was the principle on which our revolutionary fathers planted themselves in resisting British despotism. Shall we shrink from it to-day, when just emerging from a frightful civil war, caused by our infidelity to the rights of man ? Are we still to love the rebels so tenderly that we must not offend them by a policy of equal and exact justice between them and the loyal men who resisted their devilish crusade against the national life ? "We hold these truths to be self-evident, that all men are created equal ; that they are endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness ; and that to secure these rights governments are instituted among men, deriving their *just* powers from the *consent* of the governed." Do we still doubt these truths, thus named self-evident, after having seen them written down in fire and blood during the past four years ? Men talk eloquently of the natural equality of all men and the sovereignty of the popular will. Sir, if we are not hypocrites, why not accept these principles by reducing them to practice everywhere throughout the Republic ? If all men are equal in their inborn rights, every man has the right to a voice in the governing power ; and that right is as natural as the right to the breath of his nostrils. It is not a privilege, but a *right*, and you insult republicanism and brand the great Declaration as a lie, when you dispute it. You espouse the cause of absolutism at once ; for if one portion of the people, black or white, can deprive another of their rights, the whole theory of American democracy is overturned. That wise men, in Congress and out of Congress, should deal with this question as a difficult and complicated one seems incredibly strange. The very horn-book of republicanism settles it ; and if the teachings of our fathers are in fact to be accepted, and the poisonous exhalations of slavery shall ever be dispelled from the minds of men, a disfranchised citizen, white or colored, innocent of crime, will become an unknown anomaly. This much I say on general principles, and wholly aside from those considerations which plead imperatively for impartial suffrage in the South on the score of justice and gratitude to the negro, the peace and well-being of society, and the stability of the Union itself.

But our power over the subject of suffrage in the States lately in revolt is disputed ; and doubts respecting it are expressed even by the joint committee of fifteen, in their elaborate and very able report just given to the public. Sir, I never hear these opinions and doubts uttered without unmingled astonishment. In the whole domain of politics and jurisprudence a proposition cannot be found more perfectly beyond dispute than that Congress can prescribe the qualifications of voters in the States that rebelled against the national authority, and have been subdued by our arms. I do not now speak of the power conferred in the clause of the Constitution making it the right and duty of Congress to guarantee a republican form of government to every State ; though I believe it clearly confers upon us the authority to deal with the question of suffrage in all the States. Nor do I here refer to the constitutional amendment abolishing slavery, and giving Congress the power, by appropriate legislation, to enforce such abolition ; though I hold it to be perfectly clear that under this clause the power over the ballot is given, since a man without it, according to the principles of radical democracy and the revolutionary authorities already referred to, is a slave — the slave of society, if not the chattel of an individual master. I waive these points, and rest the case solely on the ground of the authority of the nation to do what it pleases with rebels whose revolt became a stupendous civil war, and was crushed by the power of war. That, sir, is the impregnable ground on which I stand, and I challenge all assailants. The revolt grew in its proportions till it became a civil, territorial war. We blockaded the rebel coast ; we exchanged prisoners ; we conducted the conflict according to the laws of war and the law of nations. The rebels became public enemies, and by the power of our resistless hosts we conquered them. As conquered public enemies their rights were all swept away, all melted in the fervent heat of their devilish treason and war. Not a respectable jurist in the Union will dispute this proposition, for the principles of the law of nations which govern the conduct of a civil war and define the rights of the parties to it are precisely those which pertain to the conduct of a foreign war. If this is not the settled law of nations, settled also emphatically by the Supreme Court of the United States, then nothing is settled, and nothing is capable of settlement. The report of the reconstruction committee already referred to, which expresses doubt as to the power in question, asserts that “ within the limits prescribed by humanity the conquered rebels were at the mercy of the conquerors. That a government

thus outraged had a most perfect right to exact indemnity for the injuries done and security against the recurrence of such outrages in the future would seem too clear for dispute. What the nature of that security should be; what proof should be required of a return to allegiance; what time should elapse before a people thus demoralized should be restored in full to the enjoyment of political rights and privileges, are questions for the lawmaking power to decide, and that decision must depend on grave considerations of public safety and the general welfare." This language covers the whole ground contended for. The power exists, and Congress alone must determine what is demanded by "considerations of the public safety and the general welfare." The question before us to-day is one of necessity and expediency, and not of power; a question of fact, rather than a question of law.

On this question, Mr. Speaker, I think there is very little ground for disagreement among loyal men. If the colored millions of the South need any earthly good supremely, and need it soon, it is a share in the governing power. Let us not mock them by the hope of it at some time in the distant future, conditioned upon alternatives which we tender to their enemies, but grant it now, as their imperative and instant necessity. They are at this moment prostrate and helpless under the heel of their old tyrants. But for the partial succor afforded by the Freedmen's Bureau their condition would be far more deplorable than that of slavery itself. Although the Civil Rights Bill is now the law, none of the insurgent States allow colored men to testify when white men are parties. The bill, as I learn from General Howard, is pronounced void by the jurists and courts of the South. Florida makes it a misdemeanor for colored men to carry weapons without a license to do so from a probate judge, and the punishment of the offense is whipping and the pillory. South Carolina has the same enactments; and a black man convicted of an offense who fails immediately to pay his fine is whipped. A magistrate may take colored children and apprentice them for alleged misbehavior without consulting their parents. Mississippi allows no negro living in any corporate town to lease or rent lands. Cunning legislative devices are being invented in most of the States to restore slavery in fact. Without the bollot in the hands of the freedmen, local law, reënforced by a public opinion more rampant against them than ever before, will render the Civil Rights Bill a dead letter, and in the future, as it has been in the past, the national authority will be set at defiance. Even should the Civil Rights Bill be enforced, it would be



a palliative and not a cure, since the right to sue, to testify, to make contracts, and to own property, may be lawfully enjoyed without commanding a tithe of the respect with which the ballot arms every man who wields it. This is the sure refuge and help of the freedmen, and Congress has the same power to secure it that it has to withhold it from the rebels; the same power to make suffrage impartial that it has to prescribe any other condition whatever in the reconstruction of these States.

If, as is alleged, no such power exists over the loyal States, that certainly is no reason why we should not exercise it where we have the power. With the authority unquestionably in our hands to disfranchise all the rebels, the plan reported by the joint committee leaves the ballot in their hands. With strange and lavish liberality even the leaders of the rebellion are to be clothed with this sovereign attribute. They may not hold office, but they may confer it. The pirate Semmes shall not be probate judge, but his ballot shall be counted in determining who shall fill the office, and so shall the ballots of the traitors who recently tried to make piracy honorable in Alabama. General Lee cannot be President of the United States, nor Governor of Virginia, but he can march to the polls with his unhung confederates as the equal before the law, and under the old flag, of the loyalists whose valor saved the Republic. The legions of armed traitors who fought against the nation four years, and deluged it in sorrow and blood, are all to be crowned with the honor and dignity of the ballot; and, as if to make treason respectable and loyalty odious, the colored people of the country whose enslavement caused the war, and who furnished two hundred thousand soldiers in crushing the rebellion, are to be handed over to the unbridled hate and fury of their old masters.

One would naturally have supposed that vanquished rebels would be glad enough to escape with their lives, and that Congress, in conferring upon them the franchise, would at least atone for this unlooked-for and undeserved liberality by a policy of justice, if not of gratitude, toward the negroes, whose loyalty was never questioned, and whose strong arms helped strike down the enemies of the nation. One would have supposed that if any party must be disfranchised it would be the rebels, and that loyal men would govern the country they had saved by their valor. I am quite sure that neither the Copperheads nor the rebels themselves, till they were caressed by the Executive, ever dreamed of this congressional discrimination in favor of treason. Sir, it will gladden the heart of every traitor in the Union. No loyal man can defend it



with a good conscience. Its recreancy is aggravated by every fact which comes to us respecting the situation in the South. The general feeling there against the freedmen is that of intense hostility and envenomed hate. The institution of slavery, through the instinct of a common interest, accorded to the negro some privileges ; but now he has literally "no rights which white men are bound to respect." Sharing no longer the measure of consideration which pertained to his condition as a slave, he is regarded as a despised outcast and treated like a dog. A feeling scarcely less intolerant is evinced toward the few loyal white men in these States, who in many localities are living in constant dread of violence and murder, and are frequently waylaid and shot. Quite recently I have received a letter from a gentleman of intelligence and worth in one of the Southern States, in which he says that he and his friends and neighbors who have been hunted in the mountains like deer all through the war because they refused to take up arms against their country, having had their houses plundered or burned, their property destroyed, and themselves reduced to beggary, are still living in constant dread of assassination ; and he begs me, if possible, to procure for them from the Secretary of War transportation to the North. This is a single instance among many of the actual condition and treatment of the loyalists of the South, under the fiendish domination of the men who have been ironically styled conquered. Sir, in heart and purpose they are less conquered than before the war. If possible they hate the Yankees, with their free schools and free institutions, more than ever. I believe their wrath is more and more a consuming fire. Down in the very depths of their souls they despise the Union, its generals, its soldiers, its statesmen, its prosperity, its peace. Upon the Freedmen's Bureau and the Civil Rights Bill they pour out the sincerest and most heart-felt curses. Not a man has been found among them who does not defend the right of secession and vindicate the rebel cause. They choose as their senators and representatives in Congress and for the highest offices in the States the most conspicuous and guilty of their unrepentant traitor chiefs. They insult the old flag and scoff at our national songs. They commemorate the deeds and honor the tombs of their grandest villains, and refuse to the loyal colored people of the South the coveted privilege of strewing flowers over the graves of our heroes who died that the Republic might live. They crown treason as the highest virtue, and elevate murder to the rank of a fine art. Their newspapers are reeking with the foulest and most atrocious sentiments, and their manifest purpose is to

scatter the baleful fires of discord and hate throughout the South. Under this new "reign of terror," emigration to the South, which we hoped would regenerate it, is interdicted, while the loyal men already there are looking about them for the means of speedy escape. Such is the Eden of blessedness and beauty which has been chiefly evoked by "*my policy*," and such are the people in whose hands Congress proposes to leave the powers of government, while it withholds the ballot from the only people whose redeeming agency and coöperating grace can restore order, liberty, and peace.

And these people, Mr. Speaker, who have "refined upon villainy till it wants a name," whose hearts are thus impregnated with the most rancorous hate toward the freedmen, and whose ascendancy over the South is hourly extending in all directions, are expected to give the ballot to the negro, if only we provide that otherwise he shall not be counted in the basis of representation. Sir, they will do no such thing. They would see the negro in Paradise, sooner than see him with the ballot in his hands. The madness which rushed into the rebellion in the interest of negro slavery, and which to-day, instead of being tamed by suffering and trial is fiercer than ever, will never extend justice to these people. The much-talked-of "war of races," ending in negro extermination, would be far more probable. I am certainly ready to vote, as I have done, for reducing representation in the revolted States to the basis of actual voters. No man could defend his refusal to do so; but I believe the rebels, with the President at their back, will never agree to any such amendment of the Constitution, and that with their allies in the North they will be able to defeat it. Neither with nor without such an amendment, therefore, in my judgment, is there any well-grounded hope for justice from the rebel class. The decision of the case would require years of time, since it would involve the question whether nineteen or twenty-seven States are required to amend the Constitution; and the Supreme Court could not pass upon the point till nineteen States had ratified the amendment. During all this time the freedmen would be committed to the tender mercies of their enemies, instead of sharing with them at once the powers of government.

Sir, why should we decline a present duty which is as clear and as palpable as the sunlight? Why impiously propose to red-handed traitors and assassins that they may trample down the precious rights of four million helpless but loyal people, if only it shall be agreed that these downtrodden millions shall not be represented in

Congress? Why offer them a proposition which, if accepted, would be as fatal to the interests of the colored race as would have been the acceptance of the offer of President Lincoln to leave that race in bondage if the rebels would lay down their arms within a stipulated time? As I have already shown, the power to do what we wish is in our hands. Congress can enact a statute securing impartial suffrage in all the insurgent States, in which civil government is totally overthrown, and over which our power is supreme. Congress can pass enabling acts, as opportunely proposed by my distinguished friend from Pennsylvania [Mr. STEVENS], providing for the calling of State conventions in those States to form constitutions, and fixing the qualifications of voters. Congress, if it deems it expedient, can disfranchise the rebels, or any portion of them, and refuse admission to the rebellious States till they have secured impartial suffrage to their people. And finally, Congress, if constitutional amendments are necessary, can propose such as will accord with justice and the rights of man, and will therefore have the strongest pledge of their ultimate success; while, in the mean time, whatever obstacles may be thrown in our way by the accidental occupant of the White House, the great cause of loyalty and freedom will be strengthened and fortified by every honest and manly endeavor to serve it.

But it is said, Mr. Speaker, that the people are not ready for so radical a policy, and that while the reconstruction of the rebel States on a solid and enduring basis is very desirable, we must accept the necessity which compels us to regard the temper of the public feeling and the practical effects upon the harmony of the Union party which advance measures would be likely to produce.

Sir, I defend the people against this accusation against their intelligence and loyalty. My own experience is that politicians are generally, if not invariably, behind the people, and rather inclined to block up the path of popular progress than to clear the way. This was undoubtedly true during the war, and every intelligent man can recall proofs of it in abundance. The people were ready for a radical policy in the first year of the conflict, as was shown by the proclamation of General Fremont of September 2, 1861. It was hailed with nearly universal joy by the Republican masses, while every leading Democratic paper in the country warmly approved it. So intense and wide-spread was the feeling of enthusiastic loyalty among the people from the firing upon Fort Sumter down to the revocation of this anti-slavery order, that party lines



seemed utterly forgotten, and the Democratic organization in fact ceased to exist. Copperhead Democracy was a sprout from the Executive edict which Kentucky procured in the interest of slavery ; but the people, at every stage of the conflict, received with open arms and grateful hearts every earnest man who came forward, and every vigorous war measure which was proposed.

Sir, why were the Union men defeated in the fall of 1862 ? It was because the people feared that General McClellan carried the government in his pocket, and had no faith in his conservative policy which bore no good fruits. The men who failed to get back to the succeeding Congress were generally the timid men who counseled policy ; while the Radicals who denounced McClellan and preached the anti-slavery gospel boldly were successful. Why did the Unionists sweep the country in the next congressional elections ? It was because of their bolder and more pronounced Radicalism. Why have our public men failed before the people in the political conflicts of the past twenty years ? Not, certainly, because they outran the people in radical progress, but because the people loved courage, and felt that bolder leadership was demanded. For the truth of this I appeal to gentlemen on this floor who have made political life a profession, and who are most familiar with the history of American politics.

A servant of the people needs to have faith in the people. In dealing with a great question involving the reconstruction of government and regeneration of society in nearly half the territory of the Republic he has no right to be "a negative expression, or an unknown quantity, in the algebra which is to work out the problem." He has no right to say that the people are not ready for a given policy, if he himself understands it, and is convinced that it is just and necessary. On the contrary, he will find it most safe to accept our democratic theory that the people are capable of understanding their affairs, and of managing them through honest and fearless representatives. What our politicians most need to-day is faith, faith in the people, faith in justice, and then to add to their faith *courage*. If the policy you propose is right, nothing is so safe as to trust the people ; if it is crooked, a weak and shallow expedient, a truce with justice and not a real peace, then nothing could be more unsafe than an appeal to the voice of the people, which finally will be the voice of truth.

The people, you say, are not ready for negro ballots in the insurgent States. Sir, I would be glad to have the proof of that. Since the outbreak in 1861 they seem to have been ready for



whatever has come in the rapid and stirring march of events. They were ready for the war, appalling as it was, and utterly foreign to their habits and tastes. When it came, as I have shown, they were ready for radical measures in its prosecution. They were ready, or soon became ready, to arm the negroes against their masters, and to demand the complete emancipation of the millions in chains. They were ready to sacrifice the lives of more than three hundred thousand brave men to save the Republic from dismemberment and ruin. They were ready to send sorrow into millions of households, and to entail upon their children a weary burden of debt in order that freedom should bear rule in these States. They were ready, when the war was ended, to demand the just chastisement of the great national criminals who were the instigators of the desolating conflict. They were ready to sanction the policy of a Freedmen's Bureau to guard and care for the men and women made nominally free by the power of war. They were ready to pass a constitutional amendment abolishing slavery forever, and arming Congress with the power, by appropriate legislation, to make such abolition effective. They were ready to crown the negro with the honors of a soldier of the Republic, and ask him to help defend it against its assassins, and thereby to pledge themselves before God and man that he should thenceforward share all the rights enjoyed by white citizens. They were ready to say, in January last, through their representatives in this Hall, by a vote of 116 to 54, that no man under the exclusive jurisdiction of the National Government should be deprived of the ballot on account of race or color; and they have been disappointed, I am very sure, in the long delay of like action in the Senate. And they were ready, speaking through overwhelming majorities in both Houses of Congress, and in defiance of the Executive, to indorse the Civil Rights Bill, which lacks only one short step of reaching the ballot, and the principles of which can only be defended by a logic which necessitates the grant of it as the grandest of all civil rights, and the pledge and shield of them all.

Mr. Speaker, a people who have proved themselves ready for all this will be found ready to move steadily forward toward the complete accomplishment of their grand purpose. Most assuredly they will not turn back, nor pause in their course. Their schooling during the past five years has armed them against fear, and the man who says they are not ready for all measures required to make good to the nation the righteous ends of the war impeaches both their intelligence and their patriotism. The people are not

ready ! This is the cry which is daily rung out here from a chorus of voices. We ourselves are all ready, individually, for the most radical policy, if the country would sustain us. Impartial suffrage is openly indorsed as the true doctrine, which, in due season, the people will be prepared to accept. They may be ready, we are told, after the fall elections, and the hope is frequently expressed that then we shall meet the issue squarely. Almost everybody, save the most unblushing Copperheads, says that negro voting in the South is the true reconstruction, and is absolutely necessary if the rebels are to vote ; but the country is not ripe for it. " Personally," as Henry Clay said of the annexation of Texas, all of us " would be glad to see it," but the issue is premature.

Sir, gentlemen are themselves premature, in all such statements. The people *are* ready, in this battle of politics, and would gladly go to the front if they could, leaving the politicians to straggle in the rear. And if the voice of the loyal millions could be faithfully executed to-day, treason would be made infamous, traitors would be disfranchised, and the loyal men of the South, irrespective of color, would take the front seats in the work of reconstruction and government. Do you doubt this ? If there is real union among Union men everywhere, upon any single point, it is in their absolute determination to make sure the fruits of their victory, through whatever measures may be found needful. Sir, remembering the past, can any man really believe the loyal masses will take fright at the spectacle of negro ballots in the regions blasted by treason ? All civil government there is overthrown. The President himself has so officially declared. The governments extemporized there by himself are purely military, and so far as they have assumed to be more than that they are simply usurpations. This is also perfectly understood by the country. The work of organizing civil governments in these regions belongs to their people, subject entirely to the control and direction of Congress. This, too, has been officially admitted by the President. And now, if Congress, at this session, should pass the enabling act referred to, reported by the venerable gentleman from Pennsylvania, authorizing the holding of conventions to form new State governments, and prescribing the same rule of impartial suffrage as was done by this House for the District of Columbia, would the people revolt against it ? Would they even be offended ? Does any intelligent, fair-minded man really believe it ? The restoration of civil government in the South is undeniably necessary. That Congress alone, in coöperation with the people, can do this,

is equally certain. The mode of organizing civil government in regions under the national jurisdiction is perfectly familiar to the people, and well settled by long and uniform practice. Who, then, shall be alarmed, if Congress, in rightfully initiating new governments, shall secure a voice to the colored millions who constitute more than two fifths of the people and an overwhelming majority of those who are loyal? What Union man will recoil from a policy of impartial justice? Do we still so love our "Southern brethren" that we must necessarily give *them* the ballot, and so sympathize with their tastes and dread their ill-will that we must deny it to the freedmen? Are the people to be dealt with as idiots or madmen on this subject, and counted rational on every other? Sir, let us put away timid counsels, and face the truth like men. Let us be wise to-day. Let us have faith in the sturdy common sense and unquenchable loyalty and patriotism of the people, as becomes those who have seen them confront the greatest of trials, and never yet found them wanting. Let us not doubt, for a moment, that they will sustain us, if we ourselves have the courage which "mounteth with occasion," and will only "dare do all that may become a man." Above all, let us remember that Providential guidance which in our trials hitherto has favored us exactly in the degree we have allied our cause to justice, and withheld from us the coveted prize of success as often as we have sought it at the expense of the rights of man. That same Providential discipline will most assuredly go with us to the end, whether we bravely meet the great duties of the crisis or prove ourselves unequal to our day and our work. Nothing, therefore, is so safe, and so sure to win, as the policy which shall make this truth our guide. God give us faith in his counsels, and courage to follow them! And let us not forget that —

"The wise and active conquer difficulties,  
By daring to attempt them; sloth and folly  
Shiver and shrink at sight of trial and hazard,  
And make the impossibility they fear."

## REGENERATION BEFORE RECONSTRUCTION.

HOUSE OF REPRESENTATIVES, JANUARY 28, 1867.<sup>1</sup>

[The principles embodied in this strong protest against hasty and ill-judged Reconstruction find their best vindication in the scenes of rapine and misrule which have since afflicted the States of the South, and which it is confidently believed might have been averted by the methods here so urgently commended.]

MR. SPEAKER, — In view of the time already consumed in the discussion of the measure now before us, and the general desire of members to reach an early vote on the pending motion to commit, I shall endeavor to address the House as briefly as possible ; and I therefore prefer, on this occasion, to submit my views without interruption. I cannot support the amendment proposed by the gentleman from Pennsylvania [Mr. STEVENS] in its present form ; but I shall not vote to send it to the Committee on Reconstruction at this late hour in the session. I believe the time has come for action, and that having this great subject now before us we should proceed earnestly, and with as little delay as may be, to mature some measure which may meet the demand of the people. Nearly two years have elapsed since the close of the war, during the whole of which time the regions blasted by treason have been subject to the authority of Congress ; and yet these regions are still unprovided with any valid civil governments, and no loyal man within their limits, black or white, is safe in his person or estate. The Civil Rights Act and the Freedmen's Bureau Bill are set at open defiance, while freedom of speech and of the press are unknown. The loyal people of these districts, with sorely-tried patience and hopes long deferred, plead with us for our speedy interposition in their behalf ; and even the conquered rebels themselves, who are supreme in this general reign of terror, seem to be growing weary of their term of lawlessness and misrule. Sir, let us tolerate no further procrastination ; and while we justly hold the President responsible for the trouble and maladministration which now curse the South and disturb the peace of the country, let us remember that the national odium already perpetually linked with the name of An-

<sup>1</sup> On House Bill 543 to restore the States lately in rebellion to their political rights.



drew Johnson will be shared by us, if we fail in the great duty which is now brought to our doors.

Mr. Speaker, my first objection to the amendment proposed is that it practically confounds the distinction between treason and loyalty by allowing the elective franchise to the great body of the criminals who strove, through four bloody years, to destroy the nation's life. No such policy can have my sanction. The sixth section of the amendment, which seeks to guard against this by the affidavit which it requires, would prove a delusion and a snare. I will read the form of the oath which it prescribes:—

“I, A B, do solemnly swear, on the Holy Evangelists of Almighty God, that on the 4th day of March, 1864, and at all times thereafter, I would willingly have complied with the requirements of the proclamation of the President of the United States, issued on the 8th day of December, 1863, had a safe opportunity of so doing been allowed me; that on the said 4th of March, 1864, and at all times thereafter, I was opposed to the continuance of the rebellion and to the establishment of the so-called Confederate Government, and voluntarily gave no aid or encouragement thereto, but earnestly desired the success of the Union, and the suppression of all armed resistance to the Government of the United States; and that I will henceforth faithfully support the Constitution of the United States and the Union of the States thereunder.”

Sir, of what value would be such an oath? In exacting it, instead of protecting the rights of loyal men we should build a safe bridge over which every rebel in the South could pass back into power. How could perjury be assigned upon such an affidavit? By what process could the prosecutor prove, on the trial, the hidden purpose or the secret intention of the party? I have little faith in the oaths of rebels under any circumstances. If our experience in the late war establishes any general rule in such cases, it is that the oath of a traitor proves nothing but the perjury of the villain who takes it. Most assuredly we could not rely upon it where the man who swears runs no risk of being brought to account; and the exaction of such an oath of men who have ruthlessly lifted their hands against their country is scarcely less than a mockery.

But if it be granted that this oath would be honestly taken, it does not follow that we should now restore the franchise on any such cheap and easy conditions. Are we willing thus to degrade and belittle this great right, the highest expression of citizenship, and its truest safeguard? Must we make haste to share the gov-

erning power of the country with the rebel hordes who fought us nearly three years, because they grew weary of their enterprise on the 4th day of March, 1864, and desired then to give it up? Is treason against the nation an offense so slight, an affair so trifling, that no real atonement for it shall be demanded? Sir, these are grave questions, and the state of our country to-day demands that Congress shall ponder them. The citizen's duty of allegiance and the nation's obligation of protection are reciprocal. The one is the price of the other, and the compact is alike binding upon both parties. When the rebels broke this compact by attempting the crime of national murder, their right of citizenship was forfeited, and the nation has the undoubted right to declare the consequences of that forfeiture by law. It not only has the right, but in my judgment is sacredly bound to exercise it. And why? Because, in the language of Vattel, "Every nation is obliged to perform the duty of self-preservation." The only solid foundation of national security is the allegiance of the citizen; and the most solemn duty which is at this moment devolved upon the Congress of the United States is the duty of keeping the government of the country in the hands of loyal men. No government can be secure, and no government deserves to live, which allows its enemies a common and equal voice with its friends in the exercise of its powers. This nation has hitherto recognized this principle. In the very first years of the Republic Congress sanctioned the perpetual disfranchisement of the leader and principal officers of Shay's rebellion; and the acts of Congress which warrant the exercise of this power of disfranchisement stand in full force and unchallenged on your statute-books. Congress, during the rebellion, deprived of all rights of citizenship those who deserted from the military or naval service, or who, after being "duly enrolled," left the United States or their military districts to avoid a draft. Certainly these offenses are no greater than the crime of treason, persisted in for successive years. The authority of Congress in all such cases rests upon the universal law of nations. It grows out of the contract of allegiance and the duty of every nation to preserve its own life; and therefore no trial and conviction by any judicial tribunal are necessary as a condition of the declared forfeiture. The forfeiture is not declared as a punishment for the violation of any criminal law, but as a safeguard against national danger. It is an expression of the same policy which excludes aliens from the rights of citizens. The power is not unconstitutional, for our fathers, in framing the Constitution, recognized the law of nations, as they were compelled

to do, in launching the Republic among the independent Powers of the world. Nor is it at all affected by the question whether the districts lately in revolt are States in the Union or territorial provinces. In both States and Territories the national authority must be held paramount as to the rights of citizenship, which has uniformly been regarded as a national question. If the second section of the first article of the Constitution gives to the States the power to say who shall vote, this must necessarily be understood to apply only to those who are citizens of the United States, since otherwise the national authority might be overthrown by aliens in our midst in combination with citizens. The late war for the Union has been carried on at immense cost for the purpose of demonstrating to all the world that we are a *nation*; and every nation, according to the high authority already quoted, "has a right to every thing that can ward off imminent danger, and keep at a distance whatever is capable of causing its ruin; and from the very same reason that establishes its right it has also the right to the things necessary to its preservation."

Mr. Speaker, with what face can we denounce the President for his wholesale pardons, and charge him with making treason honorable and loyalty odious, if we ourselves voluntarily clothe with the honor and dignity of the ballot the men who have forfeited all their rights by their crimes against their country? With what consistency can we declaim against the monstrous blood-guiltiness of treason, while we extend to the traitor the right hand of political fellowship? Sir, not a single rebel has yet expiated his crime on the gallows. Not one has even been tried. Neither confiscation nor exile has been the portion of the armed assassins and outlaws who summoned to their untimely graves more than three hundred thousand heroes of the Republic, and made the civilized world stand aghast at the recital of their crimes. I do not say we should disfranchise the rebels because the President has allowed them to go unpunished, but that loyal men alone can be trusted to govern the country they have saved, and that the false clemency of the Executive is the exact reverse of a good reason for restoring traitors to power. Nor do I argue that perpetual disfranchisement will certainly be necessary, but that the nation, for its own safety, should withhold the ballot from its enemies till they have proved themselves fit to cast it. No such proof can be adduced. On the contrary, the spirit of treason is now quite as reeking and defiant in the revolted districts as at any time during the war. In the sunshine of the President it has sprouted up into new and

more vigorous forms of life, while repentant rebels are unknown, save in the sense of regretting the failure of their treason. Sir, I hope the Thirty-ninth Congress will not sully its good name by confounding the friends of the country with its enemies in the reconstruction and government of the districts blighted by treason, and thus trample down the great principle that allegiance to the nation is the condition of citizenship and the bulwark of our freedom. To do this would be to surrender our strongest weapons to the President and his rebel allies. It would be disloyalty to the great cause which would thus again be imperiled, and bring dishonor upon the graves of our martyred legions who perished in deadly encounter with the traitors whom we now propose to restore to their lost rights.

Mr. Speaker, I further object to the measure before us that it is a mere enabling act, looking to the early restoration of the rebellious districts to their former places in the Union, instead of a well-considered frame of government contemplating such restoration at some indefinite future time, and designed to fit them to receive it. They are not ready for reconstruction as independent States, on any terms or conditions which Congress might impose; and I believe the time has come for us to say so. We owe this much to their misguided people, whose false and feverish hopes have been kept alive by the course of the Executive and the hesitating policy of Congress. I think I am safe in saying that if these districts were to-day admitted as States, with the precise political and social elements which we know to exist in them, even with their rebel population disfranchised and the ballot placed in the hands of radical Union men only, irrespective of color, the experiment would be ruinous to the best interests of their loyal people and calamitous to the nation. The withdrawal of federal intervention and the unchecked operation of local supremacy would as fatally hedge up the way of justice and equality as the rebel ascendancy which now prevails. Why? Simply because no theory of government, no forms of administration, can be trusted, unless adequately supported by public opinion. The power of the great landed aristocracy in these regions, if unrestrained by power from without, would inevitably assert itself. Its political chemistry, obeying its own laws, would very soon crystallize itself into the same forms of treason and lawlessness which to-day hold their undisturbed empire over the existing loyal element. What these regions need, above all things, is not an easy and quick return to their forfeited rights in the Union, but *government*, the strong arm



of power, outstretched from the central authority here in Washington, making it safe for the freedmen of the South, safe for her loyal white men, safe for emigrants from the Old World and from the Northern States to go and dwell there; safe for Northern capital and labor, Northern energy and enterprise, and Northern ideas to set up their habitation in peace, and thus found a Christian civilization and a living democracy amid the ruins of the past. That, sir, is what the country demands and the rebel power needs. To talk about suddenly building up independent States where the material for such structures is fatally wanting, is nonsense. States must *grow*, and to that end their growth must be fostered and protected. The political and social regeneration of the country made desolate by treason is the prime necessity of the hour, and is preliminary to any reconstruction of States. Years of careful pupilage under the authority of the nation may be found necessary, and Congress alone must decide when and upon what conditions the tie rudely broken by treason shall be restored. Congress, moreover, is as solemnly bound to deny to disloyal communities admission into our great sisterhood of States as it is to deny the rights of citizenship to those who have forfeited such rights by treason.

I have thus far, Mr. Speaker, addressed myself to considerations which appeal to men of my own political faith. There is a theory of reconstruction held by gentlemen on the other side of the House, according to which the rebels, the moment they laid down their arms and confessed themselves vanquished, were entitled to resume all their rights as citizens, just as if they had not rebelled, and to set in motion the machinery of their State governments, be represented in Congress, and enjoy all and singular the rights and privileges of other citizens of the United States. Sir, I shall not consume much time in noticing this strange theory, which was so happily disposed of by the gentleman from Ohio [Mr. SHELLABARGER] on Friday last. I must, however, do its friends the honor of confessing it to be entirely original. I think no such principle can be found in the law of nations. I am quite sure there is no historical precedent for it, and that the precedents are strongly the other way. One of these, and a very notable one, I may refer to, as illustrating the difference between the congressional and presidential theories of reconstruction. I understand that when Satan rebelled against the Almighty he was accommodated with quarters somewhat more tropical and less salubrious than the kingdom he had involuntarily abdicated. To

speaking plainly, he was plunged into hell ; and he "accepted the situation." According to one account of the transaction he said it was —

"Better to reign in hell than serve in heaven ;"

and he has not been "reconstructed" to this day. But according to the modern theory to which I refer, the devil, when he was finally overpowered and was willing to acknowledge it, was that moment entitled to be reinstated in his ancient rights in Paradise, exactly as if he had not sinned. That I understand to be the Democratic theory of reconstruction. But Satan, devil as he was, never had the infernal audacity to insinuate so monstrous a pretension ; and it was reserved for the followers of Andrew Johnson, nearly six thousand years later, to startle the civilized world by its avowal. Mr. Speaker, let me not be misunderstood here. I do not desire to see the rebels follow in the footsteps of their illustrious predecessor. There may have been times when it seemed to me they deserved a similar treatment. It may even have occurred to me, in some of my profaner moments, that if there is not a pretty respectable orthodox hell on the other side of the grave for the special discipline of the rebel leaders, it would seem to be the grandest oversight that divine Providence could possibly have committed. But in confronting the dangers which now beset our country I put aside these theological fancies ; and what I demand, and all I ask, is that Congress shall organize a well-appointed political *purgatory*, located in the rebellious districts, and keep the rebels in it until by their penitence and a change of their lives they shall satisfy us that they can again be trusted with power. Let us put them on probation ; and should it require ten years, or twenty years, to qualify them for restoration, or to secure an outside element strong enough to rule the rebel faction, let the time be extended. The grand interests involved plead with us to "make haste slowly," while voices from the graves of our slaughtered countrymen beseech us to "keep none but loyal men on guard." When the rebels, conscious of the ruin they have wrought, shall wash away their guilt in their tears of genuine contrition, then, and not till then, let us restore them to our embrace.

And now, Mr. Speaker, if any gentleman asks me what plan of government I would institute for the probation and pupilage of these districts, I am ready to answer him. But before I do that I desire to say what forms of reconstruction I do not favor. In the first place, I oppose any cunningly devised scheme like that re-

ported by the gentleman from Ohio [Mr. ASHLEY] from the Committee on Territories, with its popular conventions, its committees of safety, its provisional governors, and other machinery designed to meet the ugly fact that we have a bad man in the presidential chair, whose usurpations it is pretended we must checkmate by these extraordinary measures. If the President has been guilty of high crimes and misdemeanors, let him be impeached and hurled from power. I believe he is thus guilty, and therefore I believe our first duty is to call him to account. Instead of gradual approaches and flank movements we should confront him at once with our accusations, and demand his trial. Instead of lopping off the branches we should strike at the root of our troubles, and no significance or insignificance of the executive office as now filled should stand in the way of our constitutional duty. If the President is not guilty of high crimes and misdemeanors, in the sense in which those terms were understood by our fathers, and according to the precedents they had before them, then the right of impeachment is not even a "scarecrow," as Mr. Jefferson styled it. But if I am mistaken, and the country is doomed yet longer to endure his maladministration, then let us adopt precisely such measures of government for the rebellious districts as would be necessary and proper if we had an honest man in the place of Andrew Johnson, thus affording him the opportunity, should he seek it, to provoke new conflicts with the people by opposing our measures. Should his madness fail to supply us, abundantly, with the grounds for a successful impeachment, the sands of his official life will soon run out at the worst, while the management of the rebel territory demands a policy which may last for indefinite years. As the friends of the Constitution and the champions of law, we can best perform our duty by adhering to the well-settled forms and usages of our republican institutions.

I oppose, in the second place, any plan of reconstruction which attempts to reconcile opposite and utterly irreconcilable theories. If the rebellious districts are States, known to the Constitution as such, they have the right to be represented on this floor and in the other end of the Capitol. They have all the rights of the other independent States of the Union, and the work of reconstruction is done already. The logic of this theory, if accepted, not only vindicates the policy of the President, but brands the legislation of Congress for nearly six years past as a deliberate usurpation. This is the rebel theory, and those who have accepted it, with all its consequences, are consistent and brave men who

are entitled to the thanks of all the enemies of their country. But if you reject this theory, then you are driven squarely over to the policy of unqualified Radicalism, for there is no middle ground on which to stand. If these districts are not States known to the Constitution, it must follow inevitably that the Constitution knows them only as Territories, for which Congress is bound by the express words of the Constitution to "make all needful rules and regulations." Sir, I am opposed to any scheme of compromise between these theories, and to any plan of reconstruction which embodies in it any elements of the rebel theory. The policy of Congress and the President in recognizing those districts as States, while exercising over them powers utterly inconsistent with the rights of States, has brought upon us our worst troubles, and the sooner we abandon it the better it will be for the country. The nation needs a manly and straightforward *policy*, and not the weakness and vacillation which spring from crooked and ambidextrous measures which lend strength to the enemies of the Republic.

Mr. Speaker, the theory which deals with the rebellious districts as under the exclusive jurisdiction of Congress rests upon grounds which are logically impregnable. In the first place, their old constitutional governments were overthrown and destroyed by the rebellion. This will not be disputed. Second, their rebel governments, which followed, were destroyed by our arms. This is equally certain. Third, their present governments, extemporized by the President, are military and provisional only, having no validity whatever save that which they borrow from the continued acquiescence of Congress. The President himself can be quoted in support of this position. And fourth, the rebels themselves, having forfeited all their rights by their treason, as I have already shown, have no authority to institute any sort of government within their respective districts, until they are expressly empowered so to do by Congress. If I am right in these positions, these districts are so many geographical divisions of the Republic whose people are wholly without any valid civil government, and without any constitutional power to frame such government; and being solely under the jurisdiction of Congress, and having none of the powers and attributes of States, they are necessarily Territories of the United States. As such they need government till they are prepared for readmission, and the machinery of territorial governments, older than the Constitution itself, is as familiar to the American people as that of the State governments. Let each of these



Territories then have a governor, a chief justice, a marshal, and an attorney. Let each of them have a delegate in Congress, fitly denied the right to vote, while permitted to speak. Let each have a Legislature for the enactment of local laws, subject to the supervision of Congress. Let Congress declare who shall be qualified to vote in these Territories, adopting the same rule already established in the other Territories of the United States and in the District of Columbia. And when local supremacy shall defy the national authorities in any of these Territories, let it be effectually cured by the military power of the United States. Under this educational process I would have these rebellious districts trained up in the way they should go, whether the time required for such training shall prove long or short; while in the mean time every inch of their soil will be subject to the national authority, and freely open to the energy and enterprise of the world. This policy, by nationalizing the South, would render life and property as secure in Louisiana as in Maine. It would tend powerfully to make our whole country homogeneous. It would encourage in these wasted regions "small farms, thrifty tillage, free schools, closely associated communities, social independence, respect for honest labor, and equality of political rights." All these blessings must follow, if only the nation, having vanquished its enemies, will now resolutely assert its power in the interest of loyal men over regions in which nothing but power is respected.

To all this, Mr. Speaker, it will be objected that it contravenes the policy of the constitutional amendment proposed by Congress at our last session, and therefore cannot in good faith be urged while that amendment is pending. Several replies to this objection are at hand. First, it must be remembered that this amendment was submitted to the several *States*. Congress had no right to propose it to unorganized districts which had no constitutional governments of any sort, and therefore no power to pass upon the question. Could we, for example, submit this amendment to Colorado or Nebraska, before they have been lawfully declared States? Congress, at the last session, might have waived all formalities and recognized the rebellious districts as States by receiving their representatives, as was done in the case of Tennessee; but we refused to do this. Congress even declined to pass the bill reported from the Reconstruction Committee providing that these so-called States should be received on their acceptance of the amendment. It is perfectly certain, therefore, that Congress reserved for its future judgment the very question which is assumed to have been

decided by the objection under notice ; or, that if Congress did decide it the decision was the other way. The very utmost that can be claimed by the champions of the constitutional amendment is that the question is an open one ; and, being an open question, Congress may decide it to-day by putting territorial governments over these regions, leaving the amendment to the disposition of the loyal States, whose representatives in Congress for nearly six years past have ignored the existence of disloyal States in dealing with the mighty concerns of war and peace and the amendment of the Constitution itself. I believe the pending amendment will be ratified ; but in voting to submit it I do not think Congress is at all embarrassed in its present action. I can say, for myself at least, that I am perfectly untrammelled, either by my votes in this House or by pledges or commitments anywhere ; while I believe the general understanding at the last session was that the amendment embodied provisions which were demanded as national safeguards, without pretending to supply any final solution of the problem of reconstruction.

But I reply, in the next place, that even if Congress at the last session bound itself by an implied agreement to admit these districts as States on their ratification of the amendment, we are now released from that obligation. With singular unanimity and emphasis they have rejected our proposal, and thereby left us free. Sir, are we bound to wait here five years, or ten years, for them to ponder the question and reverse their decision, after they have already defiantly spurned our offer, allowing the rebel power in the mean while to have free course ? I do not so understand the bargain, if any bargain has been made. We have the right to plead our release, and the state of the country demands that we shall exercise it. Since our session of last summer great changes have been wrought in the general feeling of the people. We see daily the truth of the old adage that "circumstances alter cases." Public opinion has forced Congress to establish manhood suffrage in the District of Columbia, and thereby to say that that principle should prevail in all the States of the Union. Congress has extended it over all the Territories of the United States, constituting an empire large enough to support a population of two hundred million people. Congress has voted for the admission of Colorado and Nebraska on the fundamental condition of their acceptance of the same principle, and thus advertised all whom it may concern that other States yet to be born must comply with the same condition. Most certainly the like requirement will be made of the

districts lately in arms against us, whatever may betide the constitutional amendment. God forbid that we should impose conditions upon virgin States of the Northwest which have never rebelled, and whose people to-day are loyal, which we will not exact of the rebels who have drenched their country in blood! Sir, we cannot trifle with a principle so vital, or expose it to any sort of hazard. I voted last year against restoring Tennessee to her place in the Union, because I feared she could not be trusted without a mortgage from her securing the ballot to her colored loyalists. I hope my fears will prove groundless, but I shall never regret my vote. The loyal people of Maryland to-day, black and white, would be safer under federal bayonets than under their local government; and Congress, where it has the power, must exert it against the enemies of the country and their sympathizers. I shall never vote to restore one of these rebel districts to power as a State, except upon the condition that impartial suffrage, without respect to race, color, or former condition of slavery, shall be the supreme law within her borders. Sir, we can no longer evade the solemn duty which the logic of events has at last made plain to all lovers of justice; and the man who now thrusts constitutional amendments in our way might as well quote the Crittenden resolutions, adopted by this House the day following the first battle of Bull Run, as the governing principle of the Thirty-ninth Congress.

I add, finally, and as a conclusion from what I have said already, that the second section of the proposed amendment ought never to be made a part of the Constitution of the United States. It would not now be proposed, if the question were pending as a new one, as our action at this session has plainly indicated. I voted for it, along with the other sections of the amendment, simply as a proposal to reduce the political power of the rebels to a common level with that of loyal men; but instead of cutting down representation in these districts to the basis of actual suffrage, I think we are now ready so to extend the franchise as to make it commensurate with actual representation. An amendment of the Constitution securing this result should have been proposed at the last session. When, in our extremity, we called on the black loyalists of the South to help us through the red sea of war into which our wickedness had plunged us, and they responded to our call by sending two hundred thousand soldiers to our rescue, it thenceforward became the nation's duty, from which no escape was morally possible, to secure the rights of citizenship, both civil and political, to the wronged and outraged millions of the African race in our midst.

It thenceforward ought to have been counted a shameful proposition, a flagrant affront to common justice and gratitude, for Congress to propose to the rebels as a constitutional amendment that if they would agree to the exclusion of these loyal colored men from the basis of representation, we would agree to surrender them to the tender mercies of rebel State governments which might wholly deprive them of the sacred right of representation. Sir, I hope no such principle will ever defile the Constitution of our fathers. Aside from its cold-blooded ingratitude to our black allies, it is radically vicious. It impliedly concedes to the States of the Union the right to disfranchise male citizens of the United States over twenty-one years old who are innocent of crime, and thus strikes at the root of all democracy. If "taxation without representation is tyranny," and governments derive "their just powers from the consent of the governed," the citizen's right of representation is as natural and inherent as the breath of his nostrils. To deprive him of it, unless he himself forfeits it by his offenses against society, is a crime against his manhood, which is the common foundation of the rights of all men. It is an offense against all free government; for the right of one citizen to a voice in its public administration is precisely the same as the right of every other citizen; and no fraction of citizens, however large, can deprive the remainder of their common and equal right. To deny this is to mock the Declaration of Independence and insult the memory of our fathers; and to incorporate the denial into the Constitution of the United States, in words which express or imply it, would strengthen the hands of every rebel in the South, and comfort the enemies of American democracy throughout the world. It would pollute the very fountains of our national life by the unnatural marriage of the Constitution to the foul heresy of State Rights, which so recently wrapped the Republic in the flames of war; while it would stand in open conflict with that grand central principle of our great Charter which declares that "the United States shall guarantee to every State in this Union a republican form of government."



## IMPEACHMENT OF PRESIDENT JOHNSON.

HOUSE OF REPRESENTATIVES, DECEMBER 11, 1867.

[As Mr. Julian was among the first and most zealous of those who demanded the impeachment of President Johnson, this brief speech is here reprinted. It is selected from among others on the same subject because it condenses into a few vigorous paragraphs the real grounds of impeachment, and appropriately places the opponents of the measure upon the defensive.]

AFTER the Journal was read, Mr. Julian asked and obtained leave to make a personal explanation, and preliminary thereto had read at the Clerk's desk the following paragraph from the Washington correspondence of the "New York Tribune":—

"Of the fifty-seven members who voted for the resolution it must not be thought that all sincerely desired the impeachment of the President. The Indiana delegation which voted almost solidly in the affirmative, did so in the belief that some future deed of the President would justify their course. Others voted for impeachment, well knowing that it could not be carried, on the principle that their action would seem bold, and might be quoted with effect in future canvasses. Had the passage of the resolution depended on the votes of these gentlemen they would have been found against it; but there were probably forty men who were convinced that the testimony justified the House in bringing the President to a trial, though they did not undertake to usurp the functions of the Senate in judging of his innocence or guilt."

MR. JULIAN then proceeded:—

This is certainly a remarkable display of the freedom of the press, and I must claim the right to refer to that portion of the extract which relates to the Indiana delegation. The writer says we voted for impeachment because we believed "that some future deed of the President would justify" our course. Sir, I do not speculate about the future deeds of the President. I know the past, and in the light of the past the Indiana delegation judged of their duty, and acted. That the President will pause in his career of maladministration and crime I do not for a moment believe. His capacity for evil stands out in frightful disproportion to his other gifts. He is a genius in depravity, and not merely "an obstinate man who means honestly to deal with" the problem of reconstruction. His hoarded malignity and passion have neither been fathomed nor exhausted, and will not be during his term of office.

If I may judge of the effect of the President's late message of defiance, acting on the inflammable temper of Southern rebels, and followed swiftly by the strong vote of this House renouncing its jurisdiction over his crimes, I can have no hesitation in believing that a new dispensation of rapine and misrule will be the result. This will be morally and logically inevitable; and while I respectfully commend it to the consideration of gentlemen who voted *against* impeachment, I desire to say in behalf of myself and the five of my colleagues who voted with me that in the vote we gave we assumed no jurisdiction whatever over acts of the President which have not yet transpired. We had neither the right nor the disposition to do this, but were governed by the following among other good and sufficient reasons:—

We voted to impeach the President because he usurped the power to call conventions, set up governments, and decide the qualifications of voters, in seven of the States lately in rebellion.

Because he recognized these governments thus unconstitutional established by himself as valid civil governments, and condemned and denounced Congress for lawfully exercising the powers and performing the acts which he exercised and performed in violation of law and of the Constitution.

Because he created the office of provisional governor, as a civil office, which is unknown to the Constitution, and appointed to such office in the rebel States notorious traitors, well knowing them to be such, and that they could not enter upon the duties of the office without the crime of perjury.

Because he deliberately trampled under his feet a law of Congress enacted in 1862 prescribing an oath of office, and which law he was sworn to execute, and appointed to offices under the laws of the United States men who were well known to him as traitors, who could not take the oath required.

Because he refused to execute the confiscation laws, and the laws against treason, and by the most monstrous abuse of the pardoning power in innumerable instances has made himself the powerful ally and best friend of the conquered traitors of the South, whose unmatched crimes have thus utterly defied even the ordinary administration of criminal justice.

Because the power of impeachment as defined in the Constitution clearly comprehends *political* offenses, like those of which the President has been proved guilty in the case recently before the House, and would otherwise be an empty and unmeaning mockery, leaving Congress wholly powerless to protect the nation

against the most wanton acts of Executive maladministration and lawlessness.

And because, finally, in the language of the majority of the Judiciary Committee, he has "retarded the public prosperity, lessened the public revenues, disordered the business and finances of the country, encouraged insubordination in the people of the States recently in rebellion, fostered sentiments of hostility between different classes of citizens, revived and kept alive the spirit of the rebellion, humiliated the nation, dishonored republican institutions, obstructed the restoration of said States to the Union, and delayed and postponed the peaceful and fraternal reorganization of the Government of the United States.

Sir, these are some of the reasons which compelled six of the Indiana delegation to vote "solidly in the affirmative." We had no occasion to carry our researches into the future in order to find a justification for our votes. And I desire to say, sir, as emphatically as I can, that under our view of the evidence and the law there was but one alternative left us. We could not allow our sense of duty, under the oaths we have taken, to be swayed by any calculations as to the effect of impeachment upon the finances of the country, or upon our own party relations, or upon the success of the Republican party next year. Neither could we pause to consider whether the impeachment would be sustained in the Senate, or whether it would provoke the President to renewed acts of violence and render him more devil-bent than before. We had nothing whatever to do with considerations of this character. Sir, impeachment is not a policy, but a solemn duty under the Constitution, which expressly provides for its performance. The "New York Tribune" itself says that "impeachment is the constitutional safeguard between the people and a dictatorship. To regard the Presidency as an intact, independent office, responsible only to the moral influence called 'the people,' and to a political mob called 'a convention,' is to make our ruler as absolute as the Emperor of China."

Sir, not to impeach in a case fairly requiring it is itself an act revolutionary and rebellious in its character. So the Indiana delegation believed, and so they acted under their sworn duty of fidelity to the Constitution of the United States. And having so believed and acted they have no apologies to make, no man's pardon to beg, and no favors to ask in any quarter. In common with the fifty-seven members who voted in the affirmative, and the one hundred and eight who voted in the negative, we shall be judged

by the people. None of us can "escape history," and for one I am willing to accept its final verdict. I only beg leave to say, in conclusion, that if the leading newspapers of the country had allowed the people to see the report in full of the majority of the Judiciary Committee, the correspondent of the "Tribune" would probably have felt less inclined to volunteer an apology for the Indiana delegation which is as dishonorable to himself as to them.



## SPOLIATION OF THE PUBLIC DOMAIN—THE SAVING REMEDY.

HOUSE OF REPRESENTATIVES, MARCH 6, 1868.<sup>1</sup>

[This speech, prepared with great care and considerable labor, was published as a campaign document for the national canvass of 1868. It will be found to embody important facts bearing upon a great question, which is commanding a constantly increasing interest.]

MR. SPEAKER, — Perhaps there is no question affecting the civil administration of the government which more deeply concerns the people of the United States than that which is submitted in the bill I have had the honor to report from the Committee on Public Lands. It touches all the springs of our national life and well being. It makes its appeal to every landless citizen of the Republic, and to every foreigner who comes to our shores in search of a home. It reaches down to the very foundations of democratic equality, and takes hold on the coming ages of industrial development and Christian civilization in the rapidly multiplying States of our Union. Had the policy now proposed been accepted by the nation a generation ago, before its magnificent patrimony had been so grievously marred and wasted by legislative profligacy and plunder, the gratitude of millions would have attested the blessed results, the failure of which millions must deplore. Not a single hour of further delay should stay the friendly hand of Congress in rescuing the remaining heritage of a thousand million acres from the improvident administration of the past.

Before proceeding to the general discussion of this measure it may be well briefly to refer to its particular provisions, and their effect in modifying the action of its controlling principle. It forbids the further sale of the public lands, except as provided for in the preëmption and homestead laws. These laws have been improved by repeated amendments which have been suggested by experience, and their machinery is understood by the people. Under the preëmption laws the settler may select his home on the surveyed or unsurveyed lands, and perfect his title on the

<sup>1</sup> On the bill to prevent the further sale of agricultural lands, except as provided for in the preëmption and homestead laws.

easy conditions of settlement and improvement, and the payment of \$1.25 per acre. Under the homestead laws like conditions of settlement and improvement are required, but the claimant is restricted to the surveyed lands, and the payment of \$1.25 per acre is only required where he shall decide to perfect his title at once by the purchase of his homestead, which he may do after the required improvement has been made. The purpose of both the preëmption and homestead laws is the settlement and tillage of the public domain by those who need homes, and the option is given to every settler to determine under which class of laws he can best subserve his interest.

The bill reserves to the holders of military bounty land warrants, agricultural college scrip, and other land scrip, the right to locate the same. This could not be otherwise. However mistaken or pernicious the policy of issuing these warrants and this scrip may now be regarded, the faith of the nation is plighted that they may be located according to the terms prescribed by Congress. Lands selected for town sites are likewise expressly excepted from the operations of the bill, because their disposition is already provided for. An act for the disposal of coal lands and town sites on the public domain, approved July 1, 1864, and the act amendatory thereto of March 3, 1865, make special provision for the disposition of such lands, and properly withdraw them from the scope of this bill.

Mineral lands are also excepted, and for kindred, though less conclusive reasons. The peculiar character of these lands calls for peculiar legislation; and the Act of Congress of July 26, 1866, undertook to deal with them. The act is singularly crude and clumsy, and very few persons thus far have even attempted to assert title under it. Its history is not less remarkable. It passed the Senate near the close of the first session of the Thirty-ninth Congress, without any previous general discussion by the members of that body. On reaching the House it was referred to the Committee on Public Lands, which at once proceeded to consider it, and to reconstruct its leading features. This did not suit its friends in the Senate, who caused it to be attached to the enacting clause of a bill then pending in that body, entitled "An act granting the right of way to ditch and canal owners over the public lands in the States of California, Oregon, and Nevada." Under this strange title it was reënacted in the Senate; and on finding its way to the Speaker's table during the closing hours of the session it was hurried through the House in utter disregard of the rights of the

committee having it in charge, without any opportunity whatever for general discussion, without even the pretense that its provisions were understood, and by parliamentary tactics which, if generally adopted, would convert the business of legislation into a system of gambling in which the very titles of our laws would brand them as the progeny of knavery and fraud. The remarkable decline in the product of bullion during the past year is undoubtedly due, to a considerable extent, to the uncertainty of titles in the great mining regions and the need of a fixed code of laws ; and since there is a bill now pending here amendatory of the law under notice, and its manifest faults must necessarily lead to its perfection, there is no occasion to deal with the question in the measure now before the House.

With these qualifications, Mr. Speaker, the bill I have reported withdraws from further sale the public domain of the United States, and dedicates it, in reasonable homesteads, to actual settlement and productive wealth ; and it is this fundamental and far-reaching principle to which I now invite the attention of this House and of the country.

Mr. Speaker, I hold it to be a clear proposition that the government, as the servant of the people, is bound to render the territory under its control as productive as possible. Both political economy and the law of nature sanction this principle. The government has no right to withhold its vacant lands from tillage while its own citizens desire them for homesteads, and are willing to make them contribute to the general wealth. "Nothing," says Locke, "was made by God for man to spoil or destroy." Vattel declares that the cultivation of the soil is "a profession that feeds the human race ;" that it is "the natural employment of man," and "an obligation imposed by nature on mankind ;" and that therefore it "deserves the utmost attention of the government." He says, "The sovereign ought to neglect no means of rendering the land under his jurisdiction as well cultivated as possible. He ought not to allow either communities or private persons to acquire large tracts of land and leave them uncultivated." He adds, "The whole earth is destined to feed its inhabitants ; but this it would be incapable of doing if it were uncultivated. Every nation is then obliged by the law of nature to cultivate the land that has fallen to its share." "The earth," says the "Westminster Review," "is the great mother which all should regard with filial reverence. To the earth we owe alike our lives and our pleasures, and if there be an excess of poverty and misery among men it is because the

earth is not tilled in such a manner as to yield the 'maximum of the necessities of life.' "No man," says John Stuart Mill, "made the land. It is the original inheritance of the whole species;" and he declares that "wherever, in any country, the proprietor, generally speaking, ceases to be the improver, political economy has nothing to say in defense of landed property as there established." These authorities, which could readily be multiplied, are simply the echo of common sense. They are the voice of reason and justice, affirming, in different forms of speech, the scriptural truth that the earth belongs "to the children of men."

If, then, the Divine command to "subdue the earth," that is, to improve it, and compel it to yield of its abundance, is binding upon the government as well as the citizen, we are naturally conducted to the inquiry, What policy ought it to pursue in order to secure the maximum of productiveness? And my answer is, the policy of resisting, by all practicable methods, the monopoly of the soil, while systematically aiming at the multiplication of small homesteads, which shall be tilled by their proprietors. On this subject, Mr. Speaker, we are not left in the dark. I shall not now dwell upon the negative side of the argument. I shall not stop to portray the evils of land monopoly, which, in the words of a celebrated French writer, "has gnawed social order from the beginning of the world." The subject is an inviting one, but I propose here only to consider the profitableness of small landed proprietorships in the light of known facts. I believe political economists are agreed that the true interest of agriculture is to widen the field of its operations as far as practicable, and then, by a judicious tillage, to make it yield the very largest resources compatible with the population of the country. Experience has abundantly shown that the system of small proprietorships can best secure these results, while it brings with it great moral and social advantages which are unknown in countries that are cursed by overgrown estates. I regret that any argument or elucidation of this point should be deemed necessary in a government which recognizes equal rights and equal laws as the basis of its policy; but the manifest tendency, in multiplied forms, toward land monopoly in our country, and especially in the West and South, must excuse some little particularity of statement.

One of the highest authorities on this subject is Mr. Kay's book on "The Social Condition and Education of the People in England and Europe." He speaks from personal observation and travel in many countries in different parts of the Continent, and



declares that "the peasant farming of Prussia, Saxony, Holland, and Switzerland, is the most perfect and economical farming I have ever witnessed in any country." He quotes with favor the decided opinion of another writer, that "not only are the *gross* products of any given number of acres held and cultivated by small proprietors greater than the gross products of an equal number of acres held by a few great proprietors, and cultivated by tenant farmers, but that the *net* products of the former, after deducting all the expenses of cultivation, are also greater than the net products of the latter." Mr. Laing, another writer of authority, in his "Notes of a Traveller," says: "We see, and there is no blinking the fact, better crops on the ground in Flanders, East Friesland, Holstein, in short, on the whole line of the arable land of equal quality on the Continent, from the Sound to Calais, than we see on the line of British coast opposite to this line, and in the same latitudes, from the Frith of Forth all round to Dover." And he adds that "minute labor on small portions of arable ground gives evidently, in equal soils and climate, a superior productiveness, when these small portions belong to the farmer." Mr. Kay says that "in Saxony it is a notorious fact that, during the last thirty years, and since the peasants became the proprietors of the land, there has been a rapid and continual improvement in the condition of the houses, in the manner of living, in the dress of the peasants, and particularly in the culture of the land." He observes that "the peasants endeavor to outstrip one another in the quantity and quality of the produce, in the preparation of the ground, and in the general preparation of their respective portions. All the little proprietors are eager to find out how to farm so as to produce the greatest results; they diligently seek after improvements; they send their children to the agricultural schools in order to fit them to assist their fathers; and each proprietor soon adopts a new improvement introduced by any of his neighbors."

Sismondi, in his "Studies in Political Economy," says: "It is from Switzerland we learn that agriculture, practiced by the very persons who enjoy its fruits, suffices to procure great comfort for a very numerous population; a great independence of character, arising from independence of position; a great commerce of consumption, the result of the easy circumstances of all the inhabitants, even in a country whose climate is rude, whose soil is but moderately fertile, and where late frosts and inconstancy of seasons often blight the hopes of the cultivator." Speaking of small landholders generally, he says: "Wherever we find peasant

proprietors we also find the comfort, security, confidence in the future, and independence which assure at once happiness and virtue. The peasant who, with his children, does all the work of his little inheritance ; who pays no rent to any one above him nor wages to any one below ; who regulates his production by his consumption ; who eats his own corn, drinks his own wine, is clothed in his own hemp and wool, cares little for the prices of the market ; for he has little to sell and little to buy, and is never ruined by revulsions of trade." And he insists that " the peasant proprietor is, of all cultivators, the one who gets most from the soil, for he is the one who thinks most of the future, and who has been most instructed by experience. He is also the one who employs the human powers to the most advantage, because, dividing his occupations among all the members of his family, he reserves some for every day of the year, so that nobody is ever out of work."

Mr. Howitt, in his " Rural and Domestic Life of Germany," says : " The peasants are not, as with us, for the most part, totally cut off from property in the soil they cultivate, totally dependent on the labor afforded by others — they are themselves the proprietors. It is, perhaps, from this cause that they are probably the most industrious peasantry in the world. They labor busily, early and late, because they feel that they are laboring for themselves. Every man has his house, his orchard, his road-side trees, commonly so heavy with fruit that he is obliged to prop and secure them always, or they would be torn to pieces. He has his corn-plat, his plat for mangel-wurzel, for hemp, and so on. He is his own master ; and he, and every member of his family, have the strongest motives to labor." He contrasts him with the English peasant, who " is so cut off from the idea of property that he comes habitually to look upon it as a thing from which he is warned by the laws of the large proprietors, and becomes, in consequence, spiritless, purposeless. The German bauer, on the contrary, looks on the country as made for him and his fellow-men. He feels himself a man ; he has a stake in the country as good as that of the bulk of his neighbors ; no man can threaten him with ejection or the work-house so long as he is active and economical. He walks, therefore, with a bold step ; he looks you in the face with the air of a free man, but of a respectful one."

Small farming in France forms no exception to these strong testimonies. Arthur Young, in his " Travels in France," says : " An activity has been here that has swept away all difficulties

before it, and has clothed the very rocks with verdure. It would be a disgrace to common sense to ask the cause; the enjoyment of property *must* have done it. Give a man the sure possession of a bleak rock, and he will turn it into a garden; give him a nine years' lease of a garden, and he will convert it into a desert." Speaking of the country at the foot of the Western Pyrenees, he says: "It is all in the hands of little proprietors, without the farms being so small as to occasion a vicious and miserable population. An air of neatness, warmth, and comfort, breathes over the whole. It is visible in their new-built houses and stables; in their gardens; in their hedges; in the courts before their doors; even in the coops for their poultry and the sties for their hogs."

But I need not further multiply authorities in support of my position; nor shall I attempt to demonstrate what is quite apparent from the quotations I have made, that the policy of small homesteads, on which the man who holds the plough is the owner of the soil, is favorable to the highest degree of industry and thrift; that it becomes the instrument of popular education through the self-dependence of the cultivator, whose mental faculties are thus naturally stimulated and developed by the cares and responsibilities brought to his door; and that it favors, also, the moral virtues of prudence, temperance, and self-control. All this is asserted by our ablest political economists. Neither shall I dwell here upon the fact that it supplies the strongest bond of union between the citizen and the State, and is absolutely necessary in a well-ordered Commonwealth. Putting all this aside, and coming back to my two cardinal principles — the duty of the government in behalf of the people to make its lands as productive as possible, and the necessity of accomplishing this end by small holdings, tilled by their proprietors — I proceed to notice the startling commentary upon these principles which has been furnished by the Government of the United States.

The Commissioner of the General Land Office estimates that from the foundation of the government to the present time more than thirty millions of acres of the aggregate amount of public lands sold have not been reduced to occupancy as farms. This would have made one hundred and eighty-seven thousand five hundred homesteads of one hundred and sixty acres each, and should have been disposed of to actual settlers only, as fast as it was needed, instead of being handed over to speculators and locked up from tillage and productive wealth. Just to the extent that this has been done the government has been the plunderer

of the people. It has gone into partnership with the speculator in cheating the pioneer and the producer, while robbing the national treasury. During the last fiscal year nearly two millions of acres of homestead entries have been made, of which over two hundred and sixty-four thousand acres have been entered in the Southern land States under the Act of June 21, 1866. The total area of the public domain absorbed under the homestead laws up to the 30th of June last exceeds seven millions of acres, represented by over fifty-nine thousand farms. This policy creates national wealth, and gives homes to the laboring poor. It most righteously fosters the pursuit which Vattel declares to be "the natural employment of man," and which "feeds the human race." Every new farm that is snatched from the wilderness adds to the wealth of the nation, while the monopoly of millions of acres which are withheld from cultivation is a positive public curse. It is computed that in the year 1835 alone about eight millions of acres of the public domain passed into the hands of speculators. The money thus invested was withdrawn from praiseworthy enterprises and the ordinary uses of commerce, and sunk in the forests of the West which were allowed to yield no return. Great stretches of these wild lands thus intervened between settlements which were afterward formed, since the poor pioneer could not pay the price at which they were held, and was forced still further into the wilderness, where he was compelled, by his toils and privations, to add to the wealth of these remorseless monopolists.

This system of legalized landlordism in these States, this practical inauguration among us of the feudalism of the Old World, is the very climax of legislative madness. It cheats the poor settler, and by dooming vast tracts of fertile lands to barrenness becomes a fatal hinderance to agricultural wealth, and to commerce and manufactures which draw their life from the soil. Instead of flourishing towns and villages, small homesteads, and an independent yeomanry, with the attendant blessings of churches and free schools, it consigns the fertile plains of the West to the tender mercies of the monopolist, whose greed alone is his law. Instead of opening our vacant lands to the stream of emigration which would pour in from the old States, and thus augmenting our imports and exports through increased production, it leaves the country a wilderness, or inhabited only by a miserable tenantry under the control of absentee landlords. Instead of settling the frontier of our country and extending the march of civilization, it subjects the government to the expenditure of millions of dollars in



sustaining military posts which else might be wholly dispensed with. Instead of taking the pioneer into the fatherly keeping of the government, and stimulating the spirit of adventure by the offer of a free home in the wilderness, it treats him as a virtual outcast by driving him beyond the possessions of the speculator, for whose interest he is compelled to toil. This is by far the worst feature of our present land policy. The pioneer subdues the forest and coins it into wealth. He encounters every form of hardship and danger in opening the way for the column of settlers which is to follow, while his life is one of constant privation. The settlers of our frontier are the real heroes of our time. They are the founders of new Commonwealths, and are ready to encounter either wild beasts or savages in exploring our distant borders. They build wagon roads, bridges, towns, and cities, and, by surrounding the reserved lands of the speculator and rendering them desirable, add greatly to the wealth which he has done nothing to earn. Surely these persons have a better right to be consulted in the disposition of the public domain than the men who buy large tracts with perhaps no expectation of ever seeing them again or of expending a dollar in their improvement.

Mr. Speaker, I have referred to the thirty millions of acres heretofore sold by the government which yet remain unimproved. This, of course, is only a small fraction of the grand aggregate which from time to time must have passed under the dominion of monopolists, and has since been gradually reduced to cultivation by paying their tariff for the privilege. Nothing could be more vicious in principle or more ruinous to the public interest than has been this policy. The government, since its formation, has sold more than one hundred and fifty-four millions of acres; and I think I am safe in asserting, after careful consideration, that the nation has derived from these lands less than one half the agricultural wealth which they would have yielded under the policy for which I now contend, if it had been adopted in the beginning. Sir, I ask gentlemen to ponder these facts, and say whether the land policy of the United States has not been a policy of systematic improvidence and spoliation. Every one remembers the saying of Dean Swift, that "whoever could make two ears of corn or two blades of grass to grow upon a spot of ground where only one grew before would deserve better of mankind, and do more essential service to his country, than the whole race of politicians." Has not our government supplied a new and striking commentary on this saying in sporting with one of the grandest opportunities the world

has seen for the creation of wealth and the establishment of Democratic institutions? One of the charges against the British king which our fathers preferred in their great declaration was, that "he has endeavored to prevent the population of these States; for that purpose obstructing the laws for naturalization of foreigners, refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands." Is not our government guilty, substantially, of this same charge? Has not its policy tended strongly "to prevent the population of these States," by abridging the inducements of our people to seek homes on the public domain? And, as to foreigners, has not its policy of speculation and monopoly amounted to a refusal "to pass laws to encourage their migration hither," while "raising the conditions of new appropriations of lands?" Sir, let us emancipate the public domain yet remaining under our care. Let us dedicate it to honest toil, to American homes, to productive wealth, and thus complete the work so nobly begun in the preëmption and homestead laws. Let us remember that in setting free the public lands of the government and placing them beyond the power of monopolists, we shall become the creators of wealth and the benefactors of coming generations; and that the ablest political economist of our time declares the acquisition of a permanent interest in the soil by the cultivators of it to be as real and as great an improvement in production, as the invention of the spinning-jenny or the steam-engine.

But I pass to a separate though kindred topic, namely, the grants made by Congress to aid in building railroads. These have been exceedingly munificent, and have become a most formidable barrier to the settlement and cultivation of our great domain. Congress has granted in all, to various Western and Southern States, over fifty-seven millions of acres for these purposes. These grants have been made on such conditions that the companies to whom the alternate odd-numbered sections are intrusted can hold them back from sale and settlement till such time, and for such price, as may best subserve their interest. The lands become at once a monopoly, and the rights of settlers are perfectly subordinated to its purposes. The company may sell or refuse to sell; it may sell to individual settlers or to a single purchaser. No restraints are imposed in these particulars. The even-numbered sections are likewise reserved from sale, except for the price of \$2.50 per acre. Unless, therefore, the road is between points and through a country rendering its speedy construction very important, both the odd and even numbered sections are kept back from

settlement; and the further effect of this will be to hinder settlements which otherwise would be formed adjacent to the interdicted belt. This policy sometimes builds roads, which are highly important; but it often inflicts great mischief upon the country by its discriminations against our pioneer settlers.

Besides these grants to the States we have donated, on similar conditions, for the construction of canals and other improvements, over seventeen millions of acres; and we have granted to the different lines of the Pacific Railroad the estimated aggregate of one hundred and twenty-four millions of acres. These roads are of the greatest national importance, and therefore have a very strong plea to make in justification of the grants made by Congress; but they constitute a fearful monopoly, and may hinder, far more than help, the actual settlement and improvement of our great Western territory. The several grants I have named amount to little short of two hundred millions of acres; and if we add to this the even-numbered sections along the lines of the Pacific road, which are excluded from settlement under a recent ruling of the Interior Department, we shall have an aggregate of about one third of the nation's entire public domain committed to the keeping of railroad corporations. "The quantity of lands conveyed by these grants," says the Commissioner of the General Land Office, "is of empire extent, exceeding in the aggregate, by more than five millions of acres, the entire areas of the six New England States, added to the surface of New York, New Jersey, Pennsylvania, Ohio, Delaware, Maryland, and Virginia." He says the grants to the Pacific railway lines alone "are within about a fourth of being twice the united area of England, Scotland, Wales, Ireland, Guernsey, Jersey, the Isle of Man, and the islands of the British Seas, and less than a tenth of being equal to the French empire proper."

These are significant, if not startling facts, and they naturally awaken alarm among the multitudes of our people now seeking settlements under the preëmption and homestead laws throughout the West. I have recent letters from intelligent men in the Topeka land district in Kansas, who say that, owing to the land grants referred to and the Indian reservations as administered by the government, it has become next to impossible to secure a homestead that is at all desirable in that portion of the State, and that many settlers who have travelled hundreds of miles to find their homes, on which they have settled in good faith, are being driven out by railroad agents. I believe the time has come to sound the cry of danger, and to demand, in the name of our pio-



neers and producers, a radical reform in the policy of the government as to any future grants it may make in aid of these enterprises. All such grants should be rigidly subordinated to the paramount purpose of securing homes for the people, the settlement and improvement of the public domain, and the consequent increase of national wealth. A bill inaugurating this principle has already been reported to this House from the Committee on Public Lands, and I earnestly hope it will become a law. It provides that in all future grants to aid in building railroads the odd-numbered sections shall be sold only to actual settlers, in quantities not exceeding one hundred and sixty acres, for a price not exceeding the maximum of \$2.50 per acre, and that any even sections which shall remain undisposed of at the expiration of ten years shall be subject to the same disposition as all other public lands.

In addition to this greatly needed change of policy, Congress should provide for two other reforms. In the first place, the road asking the grant should be an important thoroughfare, and especially in the matter of extending settlements and civilization more rapidly than otherwise would be practicable. Such grants are only specially needed in the case of long lines of road, which connect distant points, and pass over thinly inhabited sections of country. Experience has shown that roads will not be built except through settlements which will supply a local business, or as connecting links between important centres of trade and population. The Commissioner of the General Land Office, in his report for the year 1865, justly remarks, that if upon any part of the line a road gets less land it is because there is larger population and consequently more local business; and if upon any part of the line more land is obtained it is because the reverse is true. Yet in every instance it will be found that the road is first constructed, and best compensating to the stockholders, along that part of its line on which little or no public land is obtained. A road passing through a region of country which invites settlements will be built, if needed, without any grant of lands, because settlements will be formed and the wants of the people will necessitate it. The actual settlement of a new country is, after all, the paramount concern both of the government and the people. With this, capital will gradually come in, and such lines of railroad as are found to be needed will be constructed. Without this, railroads would be unprofitable enterprises, even if it were practicable to build them.

The second reform to which I refer is that a fixed lateral limit shall be made to the grant, and that the principle of alternate sec-



tions *in place* shall be rigidly adhered to. The failure to observe these requirements has wrought great mischief to the country and to our pioneer settlers. Our land-grant policy, as at first inaugurated, gave every alternate odd-numbered section for six miles in extent on each side of the road. This limit should never have been enlarged except in the case of a few roads of very great national utility. By keeping within these limits, and of course granting no alternate sections except those literally corresponding and contiguous to the even sections, the value of the latter would be duplicated, and thus the government, while securing the road and promoting the settlement of the country, would be financially the gainer also. But by enlarging the lateral limits as we have done, to ten miles, and in several instances to twenty, and even forty miles, and allowing *floats* or *scrip* beyond this margin, in lieu of lands not found within it, the whole policy of compensation to the government is overthrown, and our grants become a practical bounty to railroad corporations, at the expense of actual settlers, and to the great injury of the country. These floats will, of course, be located at once upon all the choice lands nearest the line of the road, and to the settled portions of the country. The preëemptor and the homestead settler will be driven further back by the grant, and in the interests of monopolists who will grow rich by withholding their lands from settlement till a handsome price can be had through the improvement of adjoining lands. The pioneer must surrender the advantages of roads, mills, schools, churches, and such other blessings as belong to a well-ordered community, for the somewhat imaginary compensation of a railroad forty or fifty miles distant. Many gentlemen now here may remember a bill which was reported to this House in the Thirty-ninth Congress, providing for the construction of a road more than four hundred miles in length, and granting the odd-numbered alternate sections to the amount of twenty sections per mile on each side of the road, with the privilege of going ten miles further, if necessary, to make up deficiencies occasioned by the sale or other disposition of any of the alternate sections by the government prior to the definite location of the road. The passage of this frightful measure was earnestly urged in the House, but was luckily defeated; and the ability, now and then, to aid in strangling such legislative monsters before their birth may be set down among the consolations of public life. In some instances we have granted the even-numbered sections, and we have several times made large grants, to be selected in a body, where the principle involved

in the policy of alternate sections could have no possible application. Every year bears witness to new aggressions upon the rights of settlers, which seriously threaten to swallow up the whole of our remaining public domain.

Sir, this policy is utterly indefensible and vicious, and should be abandoned at once. I will not go quite so far as some gentlemen on this floor, and oppose all grants of land in aid of railroads, under whatsoever restrictions. In legislative, as in other affairs, the want of discrimination is the want of common sense. "Good roads," says Mill, in his "Political Economy," "are equivalent to good tools. It is of no consequence whether the economy of labor takes place in extracting the produce from the soil or in conveying it to the place where it is to be consumed. Railways and canals are virtually a diminution of the cost of production of all things sent to market by them." These enterprises have done and are still doing a great service to our country. Let the government, by all honorable means, lend them its aid; but let Congress see to it, henceforward, that the saving reforms I have suggested shall be applied.

Mr. Speaker, the picture I have drawn of the fearful strides of land monopoly in our country, under the sanction of Congress, would be imperfect without referring to some additional and striking facts which fairly belong to this discussion. The Act of Congress of 1862, providing for the establishment of agricultural colleges, grants to the States thirty thousand acres of the public lands for each of their senators and representatives in Congress. When the provisions of this act shall be extended to the States of the South, as they doubtless will be, the whole amount required will be nine million six hundred thousand acres. The States having public lands within their limits will receive and have set apart to them their respective shares under the act, which, of course, will be so many great monopolies, managed with a view to the largest revenue to aid in the building of colleges, and not in the interest of settlers. The States having no public lands get their respective shares in college scrip representing them, which scrip cannot be located by the States, but must be sold to individuals who may locate it, provided that not more than one million acres shall be selected in any State. I do not know the present market value of this scrip, but it has been largely dealt in at rates ranging from sixty to seventy cents per acre; and probably this is as much as the States have generally received for it, instead of \$1.25 per acre, which the land ought to be worth.

MR. DRIGGS: I will state that I knew one instance where the entire college scrip of a State was offered as low as thirty-seven and a half cents an acre.

MR. JULIAN: As a method of building colleges, therefore, it is by no means a success; while, on the other hand, the scrip goes into the hands of speculators, and becomes the basis of the most pernicious monopolies that have afflicted our country. Bodies of a million acres have already been appropriated in several of our Western States, and set apart by this policy of legalized plunder, on which, of course, no homestead claimant or preëmtor may set his foot. The country is held back from tillage and productive wealth, and the rights of our pioneer settlers postponed or denied, by the duly authorized rapacity of hungry monopolists. A company of speculators, doing business in Cleveland, Ohio, and in Wall Street, New York, advertise that they have bought the college scrip of nine States which they mention, covering two millions four hundred and eighty-two thousand acres. They hold it for speculation, and, of course, take no thought as to the settlement and improvement of the public domain. If it was the duty of the government to aid in building agricultural colleges it would have been far wiser to appropriate money, leaving the lands of the country free to those who desired them for homes, and were ready to transmute their labor into national wealth. Kindred observations apply to our Mexican bounty land warrants, which cover over thirteen millions of acres in all.

Another powerful incentive to the spirit of monopoly has been the action of Congress respecting what are called "swamp and overflowed lands." There have been patented to States, under different acts of Congress, more than forty-three millions of acres of these lands, and the management of them, whether in the Western or Southern States, has been most unfortunate. This is especially true of the States of Mississippi, Louisiana, Arkansas, and Florida, which have received nearly twenty-eight millions of acres. Of these lands large portions are dry, and among the very best in the country, but they were purchased in great bodies by speculators, and to this day continue in their clutches. According to official tables furnished by the General Land Office there are now in the five land States of the South more than fifty-two millions of acres of unimproved lands held by monopolists, while fourteen fifteenths of their people, outside of the towns and cities, in an exclusively agricultural region, are landless. These are very sad facts, and the solution of them constitutes the real problem of



reconstruction. They are further aggravated by the railroad monopolies of these States, covering several millions of acres, by Spanish grants in some of them, and by plantation ideas as well as plantation manners which have survived the institution of slavery. Time, patience, and the policy of colonization from other States, must finally work out the redemption of these regions. One good step has already been taken in the passage of the Southern Homestead Law ; but no one can contemplate the situation of their people to-day, and the weary conflicts to which they are to be summoned in escaping from their thralldom, without deploring the mistake of the government in failing to confiscate the great plantations of the rebels during the war, and decimating them in the interests of loyalty and republicanism.

The action of the government in dealing with our Indian lands has been equally subservient to the interests of monopolists. Under our treaties with the Delaware Indians, made in 1860 and 1861, some two hundred and thirty-four thousand acres of surplus Indian lands were sold to the Leavenworth, Pawnee, and Western Railroad Company, instead of being opened to actual settlers. Under another treaty, concluded in 1866, the residue of these lands, amounting to over ninety-two thousand acres, was sold to the Missouri River Railroad Company in the latter year, thus creating another monopoly. By virtue of a treaty with the Sac and Fox Indians, concluded in the year 1859, the trust lands of these Indians, amounting to two hundred and seventy-eight thousand two hundred acres, have been sold to thirty-six different purchasers, thus creating numerous though considerable monopolies. As examples, I may mention that John McManus bought one hundred and forty-two thousand nine hundred and fifteen acres ; William R. McKean twenty-nine thousand six hundred and seventy-seven acres ; Fuller and McDonald thirty-nine thousand and fifty-eight acres ; Robert S. Stevens fifty-one thousand six hundred and eighty-nine acres ; Hon. Hugh McCulloch seven thousand and fourteen acres. By virtue of a treaty concluded with the Kickapoo Indians in 1862, the Atchison and Pike's Peak Railroad Company, in the year 1865, became the purchaser of the lands of these Indians, amounting to one hundred and twenty-three thousand eight hundred and thirty-two acres. By virtue of the first article of a treaty between the United States and the Great and Little Osage Indians, concluded in the year 1865, the said Indians sold to the United States a tract of country embracing one million nine hundred and ninety-six thousand eight hundred acres ; and



under the second article of the treaty they sold, in trust, the further quantity of one million two hundred and twenty-five thousand six hundred and two acres, making the total of three millions two hundred and twenty-two thousand four hundred and two acres.

The treaty, in strange disregard of the rights of settlers and of the true interests of the country, provides that this vast area of land shall not be subject to entry under the homestead or preëmption laws, but shall be sold to the highest bidder; and, of course, following the examples already set in other cases, a swarm of greedy monopolists, more or less numerous, will get the entire amount. The land is already advertised for sale in May next, and several thousands of settlers who went upon it before the treaty was proclaimed, many of them having made valuable improvements in good faith, will be driven out by speculators, with whom their small means will not enable them to compete at the sale. Of course it is not strange that these settlers are now greatly alarmed and distressed by the situation in which they find themselves; and the joint resolution I reported this morning, which passed this House, was intended as some little relief, and perhaps all that Congress can afford, under the shameful treaty to which I have referred.

The Cherokee neutral lands consist of a tract fifty miles long and twenty-five miles wide, embracing eight hundred thousand acres. By treaty with these Indians, concluded in the year 1866, the Secretary of the Interior is authorized to sell these lands in a body, for a price not less than one dollar per acre in cash, except such tracts as were settled upon at the date of the treaty. Accordingly, in October last, a contract was made for the sale of these lands to one James F. Joy, in the interest of the Kansas and Neosho Valley Railroad Company, for the price named, and the directors of the company, at a recent meeting, have resolved that such of the lands as are now occupied by *bona fide* settlers shall be valued at from three to ten dollars per acre, and be sold to said settlers at an average of six dollars per acre.

This outrage upon these people, who have settled upon these lands in good faith, and in many cases made valuable improvements, is simply monstrous. Even the treaty, which no man can defend, and could have had no honest parentage, does not warrant it. These settlers, in all conscience, should have their lands at \$1.25 per acre. The treaty could easily have been so made as to secure to them this right beyond question, and the lands themselves, as I am well assured, could have been disposed of directly

to the United States, and subjected at once to our ordinary policy of sale and preëmption. No man can approve the conduct of the government in thus joining hands with monopolists in squandering the public domain and conspiring against the productive industry of the country; and since there yet remain large quantities of other Indian lands to be disposed of, all of which are threatened by the reckless policy I have exposed, the voice of the people should be earnestly invoked in their behalf before it shall be too late.

One remarkable instance of the espousal by the government of the claims of monopolists against those of our pioneer settlers remains to be noticed. It is of recent occurrence. A disputed question involving the title to certain lands in California was properly brought before the General Land Office for decision. The parties on the one side were preëmtors, claiming title as such under the laws of the United States. The chief party on the other side was a perfectly unprincipled monopolist, who had succeeded by false representations in procuring the passage of an act of Congress under which he and his assigns claimed title to an invalid Spanish grant of ninety thousand acres, including the very lands of the preëmtors referred to. After a full and careful hearing the Commissioner of the General Land Office decided in favor of the settlers. The California monopolist thereupon prevailed upon the Secretary of the Interior to ask the advice of the Attorney General of the United States upon the points of law involved, and they procured from him an Opinion, declaring, among other things, that preëmtors on the public lands acquire no rights by their preliminary acts of settlement and improvement, and are mere tenants at will, whom the government may eject at any time before they have *completed* the conditions of title. The Attorney General did not controvert the fact that the preëmtors *were* such, under the laws of Congress, but he denied their right to the land; and the Secretary of the Interior acquiesced in the decision, although he knew it was not law, and allowed the land department of the government to be used in dispossessing these settlers, in violation of the plainest principles of justice as well as law, in opposition to numerous and uniform decisions of our federal courts, and to the whole spirit and policy of the government. This ruling, still adhered to by the Secretary of the Interior, strikes at the homestead settler as well as the preëmtor, and is a mean and wanton insult to both. Should it be applied in all cases, as it was cruelly done in this, it would kindle a fire throughout the West which it

might cost the government some pains to quench. Sir, in the name of our grand army of pioneers, whether native or foreign born, I denounce it. As I have said here on another occasion, it mocks justice, sets common sense at defiance, and insults judicial decency; and the men who procured it, in behalf of soulless speculators and landsharks, were engaged in a most unworthy service. I must add, as the saddest fact of all, that this foul plot of thieving monopolists received the sanction of the House of Representatives of the United States, as shown by its recorded vote on the 7th day of July, in the year 1866.

Mr. Speaker, the facts I have submitted should alarm every real friend of our country. This wholesale prostitution of the people's heritage, this merciless crusade against the rights of coming generations, ought to cease instantly. It will tax all the wisdom of our rulers to heal the wounds already inflicted upon our country, and which have laid hold on its very life. While the power of government to do good is limited, and negative at best, its capacity for evil is practically infinite. It has been said truly that the influence of the laws under which we live pervades the national character, is felt in every transaction of our social existence, and is seen, like the frogs of Pharaoh, "in our houses and in our beds, in our ovens and in our kneading-troughs." Our land policy will have its enduring monument in the very curses which it plants in its footsteps and writes down upon the soil. It poisons our social life by checking the multiplication of American homes and the growth of the domestic virtues. It tends to aggregate our people in towns and cities and render them mere consumers, instead of dispersing them over our territory and tempting them to become the owners of land and the creators of wealth. It fosters the taste for artificial life and the excitements to be found in great centres of population, instead of holding up the truth that "God made the country" and intended it to be peopled and enjoyed. It dries up the sources of productive wealth, as I have already shown, and thus fatally abridges the revenues now so much needed in meeting our national obligations. As a mere scheme of finance, I believe the passage of the bill now before us would be decidedly the best of the many which have been proposed and debated. The great want of the country to-day is more producers, and to this end a policy which shall draw from the older States and from our over-crowded cities the millions of unemployed men who are seeking to live by their wits, and to evade the command that "In the sweat of thy face shalt thou eat

bread." This, sir, is my policy of finance. The money which is to pay our debt must be dug from the soil and from our mines ; and whatever decision Congress may make as to the taxation of our bonds, or the kind of money in which they shall be paid, or the further contraction or expansion of the currency, or the readjustment of our tariff and internal revenue system, our national debt, after all, must be *paid*. That hard duty is unavoidably laid upon us, and there is no royal road to its performance. In the broadest and best sense of the term, therefore, this bill is a measure of financial relief ; and should it become a law, it will stand forth as a great landmark in the legislation of the country, and as the crowning act of a policy which has sought to find expression for more than fifty years.

In the early period of the government settlements on the public domain were forbidden by law. In the year 1807 Congress even provided for the removal of persons who should attempt settlements without authority of law. This illiberal treatment of our pioneers was of short duration, but the policy of preëmption was of slow growth, and was only finally perfected in the year 1841. Twenty-one years later the Homestead Law was enacted, recognizing still further the just claims of settlers ; but it allowed the speculator to cripple and harass them at every step, and thus seriously to frustrate the great and beneficent ends which otherwise it would have perfectly accomplished. It was a half-way measure of relief, pointing as naturally to the complete remedy now proposed as did the preëmption laws point to the far broader policy of the Homestead Act. Let us now apply it, and thus extend the borders of our civilization, increase our national wealth, curb the ravages of monopolists, satisfy the earth-hunger of the multitudes who are striving for homes on our soil, and thus practically reassert the right of the people to life, liberty, and the pursuit of happiness.



## IMPOLICY OF LAND BOUNTIES — THE HOMESTEAD LAW DEFENDED.

IN COMMITTEE OF THE WHOLE ON THE STATE OF THE UNION, JULY  
13, 1868.

[The subject of land bounties for soldiers has been agitated in Congress ever since the close of the late war. Several very indefensible, not to say monstrous projects, have from time to time been brought forward and finally defeated, but the friends of these movements evidently do not mean to give the matter up. This speech, while honoring the soldier, seeks to save the public domain for actual settlers; and the facts it sets forth as to the action of Congress and the Executive Departments of the government may interest both the soldier and civilian in the further consideration of the subject. The vigilance and zeal of Mr. Julian in guarding the Homestead Law, at the great hazard of being misunderstood by the soldier, is believed to have commanded the respect of men of all parties.]

MR. CHAIRMAN, — I believe I am justified in saying that during my service in this House I have steadily defended the preëmption and homestead laws of the United States. Whether the attack has come in the form of unwarranted grants of land in aid of railroads and other works of internal improvement, or atrocious jobs under the name of Indian treaties, or plausible schemes of bounty in the pretended interest of the soldier, or whatever other shape it may have assumed, I have constantly and resolutely maintained the rights of settlers on the public domain. I shall not now change my course of action. On the contrary, every passing day invites me to renewed vigilance and zeal by revealing some fresh conspiracy against the rights of our pioneer producers. I have already discussed at some length our general land policy, its evils, and their remedy, during the present session; but I omitted in that discussion a question of grave magnitude, which I then hoped would not again be seriously agitated in Congress. I allude to the question of military land bounties, and I must avail myself of this occasion to consider it, and in doing so to perform what seems to me an imperative duty.

I am opposed, very decidedly, to all schemes providing bounties in land for our soldiers. My opposition is based upon grounds which I desire to state to this House and to the country, and which, in my judgment, leave no room for difference of opinion among

intelligent men who will give the subject their attention. One bounty land project only have I ever supported, and that was introduced by myself in the dark hours of the war when our soldiers so much needed its encouragement and support, while it aimed a deadly thrust at the rebel power. Early in the session of Congress beginning in December, 1863, I reported from the House Committee on the Public Lands a bill providing that all lands which should be sold under the provisions of the Act of 1862 for the collection of direct taxes in the insurrectionary districts, and under the act of the same year to provide internal revenue to support the government, should be bid off to the United States at the minimum price mentioned in said acts, certified over to the Secretary of the Interior, and thenceforward become a part of the public unappropriated domain of the United States. It further provided that all lands against which proceedings *in rem* should be instituted under the act to suppress insurrection, to punish treason and rebellion, and to seize and confiscate the property of rebels, should, upon the rendering of final decrees of condemnation, be in like manner certified over to the Secretary of the Interior, and thereafter be regarded and treated in all respects as a further extension of the public domain. This bill, supposing the policy of confiscation to be exacted by the government, would wrest from the rebels and set apart for loyal uses from one half to three fourths of the cultivated lands of the rebellious districts, and without disturbing the rights of property of the great body of their people, who were never permitted by the aristocracy to own land. It would simply reach the lands of the leading rebels, who were at once the chief landholders and slaveholders of the South; and it extended the Homestead Law over these lands, under carefully considered restrictions, and provided for their distribution in small farms among the soldiers and seamen of the Army and Navy as a tribute to their valor, as a fit chastisement of the rebel chiefs, and as the basis of loyalty and democratic institutions in the States of the South. Had it become a law, coupled with the policy of striking at the fee of rebel landholders to which Abraham Lincoln finally assented, the duration of the conflict would certainly have been greatly abridged, while many thousands of lives and many millions of treasure would have been saved. The great landed estates of the South would have been dismembered, and at the end of the war the Freedmen's Bureau would scarcely have been needed, since the return of order and peace would have been heralded by the advent of our loyal sol-

diers, with their muskets as their companions, prepared to defend as well as till their homesteads, while ready to act as policemen and avengers in the protection of the defenseless. The bill passed the House by a strong majority ; but it failed in the Senate, as did the policy of confiscation, through the hostility of distinguished conservative fanatics who were then pettifogging the cause of the rebels in the name of the Constitution, including the most conspicuous of " the conscientious seven " through whose fatal agency the country was handed over to its enemies in the late trial of Andrew Johnson for high crimes and misdemeanors. So much, Mr. Chairman, for land bounties during the rebellion, the circumstances belonging to the history of the subject, and the moral to which they obviously point.

The war closed in the spring of 1865, and the history of the agitation respecting soldiers' bounties since that time is worth recalling. When Congress met in December following the demand for an equalization of bounties had evidently been resolved upon by those of our soldiers who volunteered in the years 1861 and 1862. It was a reasonable demand, resting upon the fact that multitudes who had enlisted at the beginning of the war and rendered the longest service had received very little bounty, while most liberal bounties were awarded to those who came in toward the end of the conflict. Equality is equity ; and the question was how to frame a bounty bill that would place all the soldiers of the war as nearly on a common level as possible. It was no easy task ; and the financial situation of the country presented a serious obstacle to the passage of any bill on the subject. It was, however, earnestly agitated in both branches of Congress, and in the executive departments of the government. The President was soon found to be decidedly hostile to any measure of equalization. He did not so avow himself, but his acts proved it. His provost-marshal general, as a sort of flank movement, made an official estimate of the amount required for the purpose of equalization, which, I believe, footed up from six to seven hundred millions of dollars. The pay department exhibited similar gifts in arithmetic, though it made the aggregate amount required some two hundred millions less. The Treasury Department tried its hand with similar results, several of its bureaus furnishing the most exaggerated calculations of the amount called for by the proposed measure, and Mr. McCulloch himself being especially active in the business of dissuading members of Congress from touching so dreadful a project. The effect of those executive demonstrations was soon made

manifest. Congress admitted that justice should be done to our soldiers, but it was felt that insuperable financial difficulties were in the way; and the result was the birth of the project of land bounties, which rapidly began to take shape, and threatened to lure into its support a decided majority of both Houses. We had, it was said, over one thousand millions of acres of public lands, and with them we would pay off the soldiers without adding to the burdens of the people. I saw that the policy would be utterly ruinous to the country, while its promised justice to the soldier would prove a delusion. It was almost as wanton a conspiracy against the Homestead Law and the productive wealth of the nation as the kindred proposition of certain prominent politicians in 1863 to mortgage the public domain to our creditors in security for our debt, which I had the honor to expose and denounce at the time on this floor. Earnestly entertaining these views, I was glad to find an early opportunity to express them in the form of a report from the House Committee on the Public Lands, in response to a memorial from New Hampshire soldiers praying bounties in land. That report, which was laid on the desks of members and considerably copied into the newspapers, showed so conclusively, by unanswerable facts and figures, the impolicy and iniquity of the proposition, that I hope I shall be pardoned for saying that it very materially aided in its defeat, and in thus saving the public domain from a most frightful scheme of spoliation and plunder.

The way was thus again opened, very naturally, for the consideration of bounties in money, and the subject was examined more earnestly than before. Calculations were made, which I believe were reliable, showing that about one hundred and fifty millions of dollars would be sufficient to pay and equalize bounties on the basis of eight and one third dollars per month for the time of service; and after freely conferring with intelligent soldiers and sailors on the subject I reported to the House a bill framed upon that basis, which was referred to the Committee on Military Affairs. General SCHENCK reported it back, with sundry modifications as to details, and it passed the House by an overwhelming vote. In the Senate, however, it encountered serious opposition. The executive agencies to which I have referred seemed to be far more potent in that body than in the House. The financial difficulty was regarded as insurmountable. Besides, many Senators declared that the soldier, having received what he contracted to fight for, was entitled to nothing more. These Senators, however, were quite anxious for the passage of a



bill to increase their own salaries \$2,000 a year, which the House refused to agree to, for the reason, in part at least, that the Senate refused to concur in the Bounty Bill. The final result of this conflict was a compromise, by which the measure now known as the Act of July 28, 1866, was indissolubly married to the proposition to increase the pay of members; and, under the motive power of an argument two thousand dollars strong, this cunning but discreditable project was carried. I am very glad that it had a Democratic parentage, and that a large wing of the Republicans in Congress opposed it from the beginning to the end. The Bounty Bill thus carried through was an insult to the very principle of equalization; and though it takes from the treasury nearly sixty millions of money, it has proved almost as unsatisfactory to our soldiers as if no bill at all had been enacted.

The agitation of the subject, however, now gradually subsided. What had been done for the soldier, though it disappointed him, seemed to create a new obstacle in the way of doing more. The financial condition of the country did not improve, and although the House reënacted General SCHENCK's bill during the last session of the Thirty-ninth Congress, it failed in the Senate, as was naturally to be expected. Thus the matter rested, Mr. Chairman, till the early part of the present session, when a bill was introduced and referred to the Committee on the Public Lands providing for very large bounties in lands. The aggregate number to whom it promised bounty was two millions two hundred and forty-five thousand six hundred and fifty-nine, and it called for three hundred and thirty-four millions nine hundred and seventy thousand three hundred and sixty acres of land, for which warrants were to be issued and made assignable like those of our Mexican War. My facts are official, being based on the careful calculations of the War Department. The effect of throwing upon the market this immense issue of warrants would necessarily bring down their price so low that it would prove a pitiful mockery of the just claim of the soldier, while speculators would buy them up in vast quantities, and make them the basis of new and most fearful monopolies of the public domain. These and kindred facts were forcibly set forth by the committee in an adverse report, accompanied by a bill which they offered as a substitute, and which has passed the House, by which the five-dollar and ten-dollar fees required under the Homestead Law shall be remitted in the case of honorably discharged soldiers and seamen, while the existing conditions of settlement and improvement are adhered to.

Mr. Chairman, another land bounty bill has been reported to the House and referred to the Committee on Military Affairs, and a majority of that committee, as I understand, have agreed to recommend its passage. Should it be reported at this late hour in the session no opportunity can be given for debate; and I therefore avail myself of the present occasion to discuss its provisions, and to protest against its enactment. It attempts to escape some of the difficulties already pointed out respecting land bounties, by providing that, instead of assignable land warrants, there shall be issued to the soldier a certificate of indebtedness for the amount of his bounty, computed at the rate of eight and one third dollars per month for his time of service, and drawing six per cent. interest, which certificate shall be used only by him or his heirs, and be payable only in land. This, in effect, though in other words, is the same thing as so many non-assignable land warrants. These certificates, as I shall presently show, would certainly be made assignable by Congress at an early day; but for the sake of the argument I will admit that their non-assignable character is preserved, and that such is the *bona fide* purpose of the bill. It must follow, then, most conclusively, that its aim is not to give land to those who really need it for cultivation. The fraction of our soldiers who are farmers, and actually want homes on the public domain, can have them now, under the Homestead Law; and under the House bill before referred to, which will doubtless pass the Senate, the soldiers can have a home on the lands of the government without money and without price. Probably a small portion only of our soldiers and seamen desire to go West and settle on the public domain; but those of them who do would seek title under the Homestead Law, since a gift of land under that would be just as good as a gift under a law providing the same thing under the name of bounty, while the certificates of indebtedness would of course be used in the purchase of other and additional lands, to be held for some indefinite time for a rise in the price. Who does not see that this would be the exact operation of this measure? The lands taken under it would be withheld from settlement and tillage, for the palpable reason that no man would buy them when just such lands could be had free of cost. To argue otherwise is first-rate nonsense. The quantity of land which would thus be locked up from the landless and laboring poor of the country is given in the following official letter from Secretary Stanton, in April last, in answer to an inquiry addressed to him by myself:—

“ In compliance with the request of the Chairman of the Committee on the

Public Lands of the House of Representatives, for a statement of the amount of public land necessary to meet the requirements of the proposed bill, (H. R. No. 940,) 'to equalize the bounties of soldiers, sailors, and marines who served in the late war for the Union.' In the event of its becoming a law, I have the honor to communicate a report on the subject by the Paymaster-general of the Army, dated the 2d instant, as follows :

"In a communication from this office to the Secretary of War, and dated March 31, 1866, will be found a carefully prepared estimate of the amount of money required to pay the bounties under a bill then pending in the Senate introduced by the Chairman of the Military Committee.

"That bill was substantially the same in its terms as this House Bill No. 940, except as to the manner of making payment.

"The sum estimated was \$253,691,100.

"In my letter of August 6, 1866, addressed to General Vincent, assistant adjutant-general, will be found another carefully prepared estimate, showing the amount required to pay the additional bounties provided by the law of July 28, 1866.

"The sum estimated was \$58,634,300.

"Experience so far gives indication that this last estimate is rather short than in excess of the exact truth.

"Deducting this cost of the additional bounties from the amount of the first estimate for equalization of bounties, the remainder gives a pretty close approximate estimate of the further amount that would be required under the bill in question, namely, \$195,056,800, which, in land at \$1.25 per acre, will require one hundred and fifty-six millions forty-five thousand four hundred and forty acres. No note is taken herein of the local bounties not paid by the United States, for I have no means of ascertaining their amount."

The local bounties referred to, could they ever be ascertained, would somewhat reduce this estimate, but the aggregate amount may safely be set down as not falling very much below one hundred and fifty millions of acres. This immense area, enough for an empire, being equal in extent to the thirteen original colonies, save North Carolina and Pennsylvania, double the area of Great Britain and Ireland, and nearly nineteen millions of acres larger than the French empire, and consisting, of course, of picked arable land, is to be withheld from cultivation and productive wealth in order that the soldier, who needs his bounty now in money, may at some future time get it in the price of his land, which is kept idle at the nation's expense and to the cruel wrong of multitudes who long for homes. We convert him into a land-jobber, and conspire with him against the productive industry of the country. We set aside the Homestead Law as to more than one fourth of the tillable portion of the public domain by excluding from it the poor who would coin their labor into national wealth, extend the borders of our civilization, and realize the blessings of independence. It is said, I know, that we are not able to pay the soldier his bounty in



money, and that we have nothing but land with which to satisfy him. This I deny. The nation *is* able to do justice to its heroic defenders, and cannot honorably plead poverty as an excuse. But if that plea is to be accepted, then I reply that we are still *less* able to dedicate to solitude from one hundred to one hundred and fifty millions of acres of land which else might be carved up into small homesteads, to be tilled by their owners and made the basis of revenue and national wealth. The country, with all its great resources, is too poor thus to cut off its supplies by wholesale prostitution of its means and its opportunities, and could far better afford to pay the soldier a reasonable bounty in money. Not one acre of land which any poor man needs for cultivation should be denied him in the interest of those who would grasp it for mere speculation.

A member of this House from Illinois informs me that in the western border of that State, George Peabody, years ago, purchased thousands of acres of wild lands which he holds to-day. Settlers have established themselves around these lands, built their houses, planted their orchards, and created wealth. The grain and other products of their farms which are annually shipped to market on the railways made necessary by the settlement of the country, go to make up the sum of our national wealth. These settlers are every day adding to the value of Mr. Peabody's lands, while other settlers, who would long since have made them productive, have been driven further West in search of homes. The government thus entered into partnership with Peabody in cheating our pioneer producers out of the homes to which they were entitled on these lands, and in staying the industrial development of the West for the benefit of nobody in the world but a single monopolist, whose home is on the other side of the Atlantic. I do not brand George Peabody as a robber, for he is known as an honorable, patriotic, and liberal man. The Government of the United States licensed him to do these things, as it has licensed other land speculators, and has been itself the plunderer of its citizens and the practical foe of national progress. But these evils are multiplied and compounded by the bill I am now discussing, for instead of a few thousands of acres it grasps many millions, and although the owners are multiplied the homeless poor of the country are equally excluded from this immense area which the nation pledged to them by its preëmption and homestead laws.

Mr. Chairman, I have discussed this measure on the supposition that the bounty it proposes is to go to the soldier only, or his heirs,



and that the certificates of indebtedness are never to be made assignable. I have thus given the proposition its best possible face, and have shown, I think, the utter impolicy if not viciousness of the project. I speak, of course, of the measure itself, and not of the motives of its friends, which I doubt not are patriotic. But the truth is, that should it become a law, the certificates of indebtedness *would* be made assignable. On this subject I beg leave to quote from a recent letter of the Commissioner of the General Land Office, in which he speaks of this bill in the light of actual facts. He says:—

“I have examined the inclosed bill (H. R. No. 940) to equalize bounties of soldiers, sailors, and marines who served in the late war for the Union, which I had the honor to receive from you with the request for a statement as to the probable effect of the measure in the light of the experience of this office.

“I find that the bill provides for the issue to soldiers, sailors, and marines of interest-bearing certificates, to be used by them or their heirs, in payment for public land which they may hereafter purchase from the government; that such certificates are in no wise transferable, and that the interest may continue to accrue without limitation until the recipient may see fit to purchase land therewith.

“The Act of September 28, 1850, granting bounty lands to soldiers who had served in any of the wars in which the United States had been engaged, contained a provision that the warrants thereby authorized to be issued should be located by the soldier or his heirs, thus preventing their assignment and sale. This provision gave such general dissatisfaction that Congress passed the Act of March 22, 1852, authorizing the transfer of any warrant then issued or to be issued.

“The files and records of this office show that not one in five hundred of the land warrants, issued and placed in the hands of the soldiers or their heirs, have been located by them, or for their use and benefit; and further, that although the said Act of March 22, 1852, made such warrants assignable, it is safe to assume that not to exceed ten per cent. of them have been used by pre-emptors as assignees in payment for actual settlements, the most part having been used by persons to acquire title to the public lands for speculative purposes.

“Should the bill under consideration become a law, and by future legislation be so modified as to make the certificates assignable or available to the soldier or his heirs, without becoming settlers on the public lands, there is no reason that can be suggested by this office why results like those in respect to the past issues may not be looked for in regard to the certificates contemplated by the present measure, the effect of which would be to transfer to non-resident proprietors large bodies of the public domain.”

That, sir, is the authoritative statement of Commissioner Wilson, whose judgment, experience, and familiarity with the whole subject no one will question. That these certificates would be made assignable there can scarcely be a single doubt. The great body

of our soldiers need their bounty now, and not the promise of it at some time in the uncertain future ; and if the relative handful of the soldiers of our Mexican War were strong enough to carry a bill through Congress making their warrants assignable, it is quite certain the like thing would happen now at the bidding of the hosts who would demand it. Indeed, I believe some of the friends of the bill do not disguise the fact that ultimately these certificates are to become assignable by law, so that the holders of them may realize their value in money.

What, then, would be the effect of such legislation, both as to the soldier and the public domain ? Mr. Wilson, in the letter I have quoted, says that not one in five hundred of the Mexican War land warrants were located by the soldiers or for their use and benefit, and that not to exceed ten per cent. of them have been used by preëmtors as assignees in payment for actual settlements, the most part having been used by persons to acquire title to the public lands for speculative purposes. He predicts very naturally the same mischievous results from the present bill should it become a law. But I ask particular attention to the following additional facts which I copy from the carefully prepared report of the House Committee on Public Lands already referred to : —

“ At the close of the last fiscal year there remained outstanding fifty-three thousand nine hundred and twelve military bounty land warrants, issued under various acts of Congress, calling for the aggregate quantity of five million six hundred and three thousand two hundred and twenty acres. These warrants are selling at about one dollar per acre. Under the Agricultural College Act of 1862 scrip has been issued to non-public land-holding States to the amount of five million three hundred and forty acres ; and when the States of the South shall have received their shares under the act, the whole amount of land covered by it will be nine million six hundred thousand acres. This will be the subject of monopoly in the hands of speculators, and the price of the scrip will depend, to a considerable extent, upon the quantity of it in the market and of the unlocated military bounty land warrants. The price has generally ranged from sixty to seventy cents per acre, but has sometimes gone much lower. As further affecting the price of warrants and scrip it should be remembered that over forty-three million acres of “swamp and overflowed lands” have been granted by Congress to the States, more than one half of which is probably in the hands of monopolists ; that about two hundred millions of acres have been granted to aid in building railroads and for other purposes of internal improvements, thus inaugurating further and fearful monopolies of the public domain ; and that millions of acres of Indian lands, by virtue of the most pernicious treaty stipulations, are falling into the hands of monopolists, thus still further aggravating the wide-spread evils long since inflicted upon the country by the ruinous policy of land speculation. Every day gives birth to some new scheme of monopoly by which the paramount

right of the people to homes on the public domain is abridged or denied, and its productive wealth seriously retarded; and no one will need be told that, should this policy be continued, the opportunities of settlement and tillage under the preëmption and homestead laws must constantly diminish."

Mr. Chairman, I ask gentlemen to keep these facts in remembrance in considering the effect of this measure upon the soldier. I ask them to remember the present price of college scrip, the quantity of which is yet to be almost doubled, and which at one time sold as low as thirty-seven and a half cents per acre. Let them bear in mind the amount of old bounty land warrants yet outstanding, and the stupendous monopoly of the public domain which is going on in other directions and threatening to swallow it up, and then ask themselves what would be the effect of putting in the market from one to two millions of assignable certificates payable in land. Every man can answer this question for himself, but I believe I am safe in saying that the price would fall as low as twenty-five cents per acre. Our Mexican land warrants at one time sold at from thirty-five to forty cents per acre, and this, it must be remembered, was before the enactment of the Homestead Law, while the quantity of warrants was a small fraction only of that of the certificates now proposed to be issued. The "Great Republic," in speaking of this bill, says that "after paying notary and attorney's fees the whole money value to the soldiers of such a grant would not exceed twenty million dollars, and it would be a hundred times better for the country to make this payment in money, and thus leave the public domain to the laboring masses. The veil thrown over this hideous speculation is too thin to cheat the soldiers or citizens of the country. It should be stopped where it is. If further bounty is to be paid, let it be honestly paid in money, and thus close the door against further speculations in what is designed for, and should be reserved as, the homes of the industrious millions."

This is from the pen of Judge Edmonds, late Commissioner of the General Land Office, and one of the truest and most sagacious of our public men; and it appears in the columns of a well-conducted and influential journal, which I understand to be one of the principal organs of the loyal soldiers and sailors of the United States. He adds, that "the soldiers have asked for no such measure, nor do they want to be made the objects of any such fictitious gratitude," and declares that "the obligations of the country to them would be nearly canceled, should they knowingly and purposely allow so monstrous a scheme of monopoly against the laboring men of the country to be perpetrated in their name."



But while the bill would thus prove a violated promise to the soldier, its effect upon the public domain would be still more deplorable. On this point I take leave to quote again from the same Report : —

“ All the evils of land speculation, to an extent as alarming as it would be unprecedented, would be the sure result. Capital, always sensitive and sagacious, would grasp these warrants at the lowest rates. Land monopoly in the United States, under this national sanction, would have its new birth, and enter upon a career of wide-spread mischief and desolation. Speculators would seize and appropriate nearly all the choice lands of the government, and those nearest the settled portions of the country, while homestead claimants and preëmtors would be driven to the outskirts of civilization, meeting all the increased expense and danger of securing homes for their families, and surrendering the local advantages of schools, churches, mills, wagon-roads, and whatever else pertains to the necessities and enjoyments of a well-settled neighborhood. This policy would stop the advancing column of immigration from Europe, and of emigration from the States, which has done so much to make the public domain a source of productive wealth, a subject of revenue, and a home for the landless thousands who have thus at once become useful citizens and an element of national strength. It would, in fact, amount to a virtual overthrow of the beneficent policy of the Homestead Law, which has, perhaps, done more to make the American name honored and loved among the Christian nations of the earth than any single enactment since the formation of the government.”

Mr. Chairman, I submit that the facts embodied in this brief summary ought to settle this question in the minds of all men who will lay aside passion and allow themselves for a single moment to think. With me they are absolutely conclusive. I claim to be as true a friend of the soldier as any man in this Congress or out of it; but I am likewise the friend of the millions who toil, whether soldiers or civilians, and cannot, therefore, unite with any man or set of men, for any purpose, in opposing the Homestead Law, either by open assault or the insidious policy of indirection. I am quite as unwilling to aid in its overthrow now, on the pretense of giving bounties to soldiers, as I was five years ago on the specious ground of paying our national debt. Its policy is constantly invaded by stupendous grants to railroad corporations, by corrupt Indian treaties which sweep away the rights of settlers and curse vast districts of country, and by the growing spirit of monopoly, shown in multiplied forms, and threatening the very principle of democratic equality in the Republic. Sir, the duty to which we are summoned is not that of submission or acquiescence, but of unflinching resistance to these unchristian and anti-republican tendencies of our time. No ephemeral advantages, if they



were attainable by an opposite course, could atone for the enduring mischiefs to the country which would certainly ensue.

Mr. Chairman, if any further argument addressed to this House is needed, I find it at hand. This body, in March last, passed without a division the following resolution : —

*“ Resolved, That in order to carry into full and complete effect the spirit and policy of the preëmption and homestead laws of the United States the further sale of the agricultural public lands ought to be prohibited by law ; and that all proposed grants of land to aid in the construction of railroads, or for other special objects, should be carefully scrutinized and rigidly subordinated to the paramount purpose of securing homes for the landless poor, the actual settlement and tillage of the public domain, and the consequent increase of the national wealth.”*

Sir, I am quite sure the sentiment of this resolution would be most heartily indorsed by the great body of the people of the United States. Let us stand by it in the face of all temptations. It utters the true watchword and rallying cry of the people of all parties, and its gospel must be preached and practiced if our great national patrimony is to be saved from the greed of monopolists and the rapacity of thieves. I do not believe this House will now go back on the record it has made. Indeed, some of the friends of this bounty bill assure me that they desire its passage because they believe Congress will soon carry into effect the resolution I have quoted by providing that no more of our public lands shall be sold except under the preëmption and homestead laws, the effect of which, they say, would be to bring these certificates of indebtedness nearly to par. I sincerely hope Congress will be wise enough to do what is predicted. I even hope for it at this session ; but I deny that any such effect on the price of certificates would result. Such a measure could not interfere with the holders of college scrip, nor land warrants, nor Indian scrip, through which land could still be bought without the condition of occupancy and improvement ; nor could it undo those huge land monopolies already existing under our Indian-treaty policy and swamp-land legislation, through which the trade in land will be lively for a good while to come. There will be ways enough left to buy land without the obligation to live upon and cultivate it after the bill I reported to this House some months ago to prohibit further land speculation shall have become a law. In no event would the price of these certificates give the soldier the bounty he is entitled to ask ; but if it would, the injury which this policy would inflict upon the country, as I have already shown, utterly forbids it.

adoption. The soldier, if he understands this, will not ask it, and the nation has no right to entail upon itself a great and irreparable wrong in order to prevent a minor one, which it may remedy in another way, if any present remedy is indispensable. The best friend of the nation's patriotic defenders is the friend of justice and the public welfare ; and the men who were unselfish enough to offer their lives as a sacrifice for these will never ask the representatives of the people to trample them under foot.

## THE SEYMOUR DEMOCRACY AND THE PUBLIC LANDS.

DELIVERED AT SHELBYVILLE, AUGUST 8, 1868.

[The Democratic National Convention which nominated Horatio Seymour for the Presidency, embodied in its platform the remarkable resolution which provoked this carefully prepared review of the course of political parties on the Land Question. The historical facts here collected can lose none of their interest in the coming strife of parties, in view of the absorbing interest in the Land Question which the policy of the government has evoked.]

I BEGIN what I have to say to-day with the remark that our party platforms are very instructive memorials of the past. This is their chief value. They mark the shifting and ever varying phases of American politics, and often bear witness to the backwardness or positive infidelity of our public men. This is forcibly illustrated in the National Democratic Platform recently adopted in the city of New York. I take it for granted that the essential truth in politics, as the builders of the platform understood it, the substance and not the shadow of Democracy, is here embodied. Every Democrat in the United States now subscribes to this latest and most authoritative confession of national political faith. And yet, if we are to try this document by the ancient tests of Democratic orthodoxy, we shall find it a new and weak invention which the fathers of Democracy would disown. This will be found true, whether we consider the platform in its negative or its positive character. For example, the Democratic principle of the right of secession, which has long been a fundamental article of faith, is unconditionally abandoned. It has been "settled for all time to come by the war," and is "never to be renewed, or reagitated;" but how an unconstitutional war could destroy the constitutional right to secede, and sweep into oblivion the everlasting gospel of the resolutions of 1798, the assembled wisdom at New York failed to explain. The divine institution of slavery, which was sacredly guarded also by the Constitution, is likewise abandoned forever. The war, which four years ago was branded as a "failure," has settled it "for all time to come," and handed it down to a common grave with its "twin relic," the right of secession; but I submit

that if both the war and the proclamation of emancipation were unconstitutional, the logic of pure and "unterrified" Democracy should have demanded compensation for the slaves thus wantonly set free.

Free trade was another time-honored principle of Democracy. It is not, however, even mentioned in the New York Platform, nor is the policy of protection condemned. On the contrary, the platform has a strong savor of the old Whig doctrine of a tariff for revenue, with incidental protection to American manufactures. Democratic newspapers and politicians have not been sparing of their denunciations of the high tariff policy of the last six or eight years, but these denunciations found no voice in the New York Convention. Hard money was another great Democratic principle. Who does not remember the marshaling of the Democratic hosts under Jackson and Benton in their grand battle for gold and silver, and in opposition to irredeemable paper issues? And who would have doubted that the men who denounced greenbacks as unconstitutional during the war, would stand by the old hard money flag after the war had ended? But here, again, the war has not been a "failure." Of all earthly blessings, greenbacks, and in marvelous abundance, are now most to be coveted in the judgment of Democrats, while gold and silver should be retired from sight or use as far as possible. Kindred observations apply to the ancient Democratic dogma of "a white man's government." No one could have supposed it possible for the Democratic party to live, without teaching constantly, as a most vital truth, the inferiority of the negro, and the danger of political and social equality with him. But the New York Platform utters no word on this subject, although negroes now actually vote and may hold office in all the States lately in rebellion. This most shameless and high-handed recreancy to saving Democratic ideas and traditions has surprised the whole country, and can only be accounted for "by the war, or the voluntary action of the Southern States in Constitutional Convention assembled."

If we turn from the negative to the positive side of the New York Platform, we shall find quite as little relief for our Democratic friends. They demand the "immediate restoration of all the States to their rights in the Union," but fail to tell us what they mean by this demand, and why the Democrats in both Houses of Congress unitedly vote *against* restoring the rebel States to their rights, save those of secession and slavery, which have confessedly perished by the war. They demand "amnesty for all past political offenses,"



when nobody has been punished, or stands the least chance of being punished, for any such offenses. They demand the abolition of the Freedmen's Bureau, which will expire by law on the first of next January, and which law was opposed by the Democrats of both Houses. They condemn the doctrine of immutable allegiance, as to which no man or party in the country takes any issue with them. They assert the right of the States to regulate the question of suffrage, which is expressly admitted by the Republican party; while the demand for a "reform of abuses in the administration," and "the expulsion of corrupt men from office," will be heartily seconded by every Republican in the Union, and, if carried out, would at once relieve the nation from the infernal brood of Democratic thieves and villains who are preying upon its life, from Andrew Johnson, inclusive, down to the meanest political scullions and prostitutes that have found favor in his sight.

But I pass from these general matters. They are exceedingly suggestive, and invite a more extended criticism, but I dismiss them to-day for the purpose of noticing, with some degree of particularity and emphasis, a still more remarkable and novel feature of this very remarkable and novel platform. It is as follows:—

"That the public lands should be distributed as widely as possible among the people, and should be disposed of either under the preëmption or homestead laws, or sold in reasonable quantities, and to none but actual occupants, at the minimum price established by the government. Where grants of the public lands may be deemed necessary for the encouragement of important public improvements, the proceeds of the sale of such lands, and not the lands themselves, should be so applied."

This is most excellent Republican doctrine. From my earliest connection with politics I have earnestly contended for the policy of reserving the public lands for actual settlement and tillage. For twenty odd years I have publicly advocated the homestead principle, and the Republican party now stands ready to advance even beyond this, by providing that the further sale of the public lands shall cease, except as provided for in the preëmption and homestead laws. A bill embodying this provision has been reported from the House Committee on Public Lands, and is now pending, while its principle has already been sanctioned by the House, in the form of a resolution adopted in March last, which further provided that "all proposed grants of land to aid in the construction of railroads, or for other special objects, should be carefully scru-

tinized and rigidly subordinated to the paramount purpose of securing homes for the landless poor, the settlement and tillage of the public domain, and the consequent increase of the national wealth." In pursuance of this latter provision a bill has passed the House regulating all future land grants for railroad purposes, and declaring that the alternate sections granted shall be sold to actual settlers only, in quantities not greater than one hundred and sixty acres, and for a price not exceeding two dollars and fifty cents per acre, thus securing the settlement of the country, while building the road with "the proceeds of the sale of such lands, and not the lands themselves." This bill, as I understand, passed the Senate just before the late adjournment. These radical and saving reforms in our land policy, which constitute an essential part of the Republican gospel and are the ripe fruit of Republican ascendancy, are stolen and appropriated bodily by the Copperhead Democracy in their National Convention. By far the best plank in their platform is obtained from their political opponents by organized thieving; and with a knavery perfectly unchallenged, an impudence which triumphs over all adjectives, and an audacity absolutely transcendental, they ask the honest masses of the people for their support!

Gentlemen, in the light of these ugly facts I trust I shall be pardoned if I uncover the political nakedness of these so-called Democrats, and pelt them a little while with the excellent timber which they have sought to procure from us by theft. It may do them good, and also serve as a warning to others against the use of false pretenses. Since actions speak louder than words, let me examine the Democratic record on the land question. I believe it is Waldo Emerson who says, that the strength of a sentence depends upon the man who stands behind it. If mere professions could make men saints, the millennium would long since have been ushered in. I do not deny the possibility of a death-bed repentance, or an instantaneous conversion. When the cup of a miserable recreant has been made full to overflowing a sudden spasm of remorse may reveal to him his true character, and open the way for a new life. Having no evidence whatever that any such mercy has visited the Democratic conscience, we are compelled to judge the party to-day by its fruits. What are these fruits?

I begin with what is called our land grant policy, which, in brief, is this: For the purpose of aiding the construction of a proposed railroad or canal, Congress grants the alternate odd numbered sec-

tions along the line of the work, within a margin of six, ten, or twenty miles on either side of it; and if any of the lands within this belt shall have been disposed of by sale or otherwise, the deficiency shall be made up within a certain specified distance beyond it. The lands thus granted are taken charge of by the company which undertakes the work, and become, at once, a complete monopoly. No time is fixed within which the lands shall be sold by the company, which may avail itself of other resources, and hold them for twenty or forty years for a rise in price. Congress made a large grant of lands to the Illinois Central Railroad eighteen years ago, and a considerable portion of them remains unsold to-day. Sales, however, occasionally occur at from thirty to forty dollars per acre, there being no fixed price beyond which the company shall not go. The theory of this policy is, that the government will be fully compensated for the odd numbered sections granted by the enhanced price of the even numbered sections which are reserved; but this does not cure the vicious principle to which I refer. The lands granted are still a ruinous monopoly in the hands of the company. Besides, the principle of alternate sections has frequently been disregarded by Congress. In several instances the even numbered sections have been granted, after the odd numbered ones had been exhausted. I believe the first grant of lands ever made by Congress, in alternate sections, for any work of internal improvement, was in 1827, to aid in the construction of the Wabash and Erie Canal. Two additional grants were subsequently made for this work, the last of which was for eight hundred thousand acres, which could be located in a body and selected within thirty or forty miles from the line of the canal. Similar abuses of our land grant policy have been sanctioned by Congress, in aid of sundry ship canals; but the policy itself, independent of these abuses, is indefensible and iniquitous. It blocks up the way of our pioneers, who would subdue our distant borders and open the pathway for organized civil communities. It hinders the increase of national wealth, by preventing the cultivation and improvement of vast districts of fertile land which should be left free to the landless poor, under the preëmption and homestead laws. It is a wicked compact between the government on the one hand, and land speculators on the other, executed at the nation's expense, and to the cruel wrong of our hardy pioneers who are thus driven to the outskirts of civilization, and compelled to encounter all the increased expense and danger of securing homes for their families, while surrendering such local advantages in the way of schools,



churches, roads, and other improvements, as might otherwise be much sooner enjoyed. Nearly two hundred millions of acres of the public domain have thus been granted by Congress in aid of railroads and other improvements, and must fall into the hands of corporations under this unfortunate land policy, and its evils will prove as intolerably grievous in their character as they will be enduring in time. Gentlemen, who inaugurated this system of national plunder, this monstrous conspiracy against the productive wealth of the country, this remorseless crusade against the rights of settlers? It was the Democratic party. Democratic leaders hatched it into being. Other parties, in later years, have been more or less involved in it, but it has a Democratic genesis and ancestry. Such men as Cass, Benton, and Douglas, championed it, and although its beginning dates back many years, it was only fully installed through the energetic leadership of the latter, in securing the magnificent grant of lands in aid of the Illinois Central Railroad. This launched it, and secured its triumph as a leading feature of Democratic policy. I beg, however, that I may not be misunderstood. In arraigning this system, I do not mean to deny that it has done much to develop our country, notwithstanding the evils to which I have referred. Nor do I question the duty of the government to aid important works of internal improvement, or the policy of doing this by grants of land. On another occasion, I have quoted the authoritative words of John Stuart Mill, that "good roads are equivalent to good tools," that "it is of no consequence whether the economy of labor takes place in extracting the produce from the soil, or in conveying it to the place where it is to be consumed," and that "railways and canals are virtually a diminution of the cost of production of all things sent to market by them." No one will deny that these enterprises have done a great service to the country, and that the government, by all reasonable means, should aid them. Let Congress provide that the lands granted in all such cases shall be sold to actual settlers only, in limited quantities, and for a price which shall insure their purchase. This will settle and develop the country, going hand in hand with the preëmption and homestead laws, and at the same time most certainly and speedily complete the improvement. This is the Republican doctrine, already adopted in the legislation of the Fortieth Congress, and which the Seymour Democracy have stolen and attempted to appropriate as their particular thunder.

I pass to the subject of swamp lands. The first grant by Congress of "swamp and overflowed land" was made in the year 1849,



to the State of Louisiana. This was followed the next year by a general law, granting such lands to all the States in which they were situated. The lands claimed under this legislation have grown into immense proportions, their character as swamp lands having been adjudicated in the interest of the States, and generally in accordance with surveys made immediately after the season of their overflow. The total amount of selections already made is about sixty millions of acres, and not far from forty-five millions have actually been patented, a very large portion of which is dry land, and among the very best the nation-owned.

The management of these lands, whether in the Western or Southern States, has been most unfortunate and ruinous. This is especially true of Mississippi, Louisiana, Arkansas, and Florida, these four States alone having secured, by false pretenses, nearly twenty-eight millions of acres. Instead of extending our well understood land policy over these regions, and reclaiming them by individual enterprise and actual settlement, Congress was prevailed upon to hand them over to the tender mercies of these States, on the ground, now well known to have been fabricated, that the lands were of little or no value, and on the assurance, equally false, that the States would reclaim them, which, it was alleged, the General Government could not afford to do. After these lands became the property of the States, they were sold in great bodies to speculators, the price, as I am advised, ranging from twenty to eighty cents per acre, and the purchasers being such men as Jacob Thompson, of Mississippi, Robert W. Johnson, of Arkansas, Toombs, of Georgia, and other Democratic thieves and rebels, who doubtless hold the lands in their grasp to-day. According to official tables furnished by the General Land Office, there are now in the five land States of the South more than fifty-two millions of acres of unimproved land held by monopolists, while more than two thirds of the people are landless ; and if you exclude the towns and cities of those States, more than nine tenths of their population are without a home of their own. These are very melancholy facts, and they are the fruit of Democratic policy. Democratic tactics, cunningly employed by Southern members, carried our swamp land laws through a Democratic Congress, while the frightful maladministration of these lands which followed was concocted and consummated by Democratic States.

Such is the Democratic record. Democrats have been consistently and steadfastly on the side of monopolies of the soil. They have been unflinchingly in the wrong. They have scouted every

attempt to check or mitigate the evils to which I have just referred, or to make the lands of the government accessible to the rank and file of the laboring poor. I offer a single illustration. Early in the Congress which met in December, 1863, I had the honor to report a bill providing that all lands which should be sold for non-payment of federal taxes in the insurrectionary districts, or under the internal revenue law, or under proceedings *in rem* under the act to suppress insurrection and to punish treason and rebellion, should be bid off to the government, certified over to the Secretary of the Interior, and thenceforward become a part of the public unappropriated domain. It further provided that these lands should be surveyed and parceled out into small homesteads among the soldiers and seamen of the army and navy, as a tribute to their valor, as a fit chastisement of the rebel chiefs, and especially as the basis of Democratic equality in these regions. Had the measure prevailed, coupled with the policy of confiscation, it would have wrested from the rebel leaders from one half to three fourths of the cultivated lands of the South, without disturbing the rights of property of the great body of their people, who were never allowed by the Southern Democracy to own land. The great estates of Thompson, Davis, Toombs, Wigfall, and other rebels, would have been dismembered, and real Democracy would have been installed upon their ruins, insuring liberty, order, and law, where the great land-holding rebels are now trampling the homeless poor under their feet and seriously threatening to plunge the nation again into the horrors of civil war. The bill passed the House by a strong majority, every affirmative vote being Republican, and every negative vote, 64 in all, being Democratic. It is true, that this bill involved other questions besides that of the monopoly of Southern lands, and the vote referred to proves the Democratic party to have been, four years ago, what it is to-day, the ally and friend of rebels; but it proves, also, the utter hypocrisy of the pretense now set up in the New York Platform of Democratic friendship for the landless poor.

I come now to the homestead policy. This will ever stand forth as one of the great landmarks of our political history. As I have often said, it has done more to make the American name honored and loved among the Christian nations of the earth than any single act of legislation since the days of Washington. It is, at once, an enduring monument of legislative wisdom and beneficence, and a crown of unfading honor to the Republican party, which finally secured its triumph. But what is the Democratic

record on this issue? The views of General Jackson on the land question were in the highest degree creditable to his sagacity and patriotism; but he seems to have been utterly powerless to impress them upon the general mind of his party. The terrible evils of land speculation reached their high tide under the Democratic administrations of Jackson and Van Buren. Those most conversant with the subject have estimated that in the year 1835 alone about eight millions of acres of the public lands passed into the hands of speculators. Of course, the money thus invested was withdrawn from praiseworthy enterprises and the ordinary uses of commerce, and sunk in the forests of the West which were allowed to yield no return. This system of legalized landlordism, as I observed last winter in the House of Representatives, this practical inauguration among us of the feudalism of the Old World, is the very climax of legislative madness. It cheats the poor settler, and by dooming vast tracts of fertile lands to barrenness becomes a fatal hinderance to agricultural wealth, and to commerce and manufactures which draw their life from the soil.

Instead of flourishing towns and villages, small homesteads, and an independent yeomanry, with the attendant blessings of churches and free schools, it consigns the fertile plains of the West to the tender mercies of the monopolist, whose greed alone is his law. Instead of opening our vacant lands to the stream of emigration which would pour in from the old States, and thus augment our exports and imports through increased production, it leaves the country a wilderness, or inhabited only by a miserable tenantry under the control of absentee landlords. Instead of taking the pioneer into the fatherly keeping of the government, and stimulating the spirit of adventure by the offer of a free home in the wilderness, it treats him as a virtual outcast by driving him beyond the possessions of the speculator, for whose interest he is compelled to toil. I need not dwell on this subject before an intelligent Western audience, and I have, besides, fully portrayed the direful effects of land speculation on other occasions; and I only refer to them now for the purpose of reminding the country, and especially our fellow-citizens of Democratic descent, that these evils have found their congenial home and natural shelter in the Democratic organization. Many long years ago would the country have been saved from their ravages, if the Democratic party had willed it.

But I return now to the homestead policy. I was in the Congress of 1849, when the first homestead bill was introduced, and I



feel quite sure that I can count on the ends of my fingers the Democrats of both Houses who favored the measure. It was almost universally denounced by the party as a scheme of "Demagogism," of "Agrarianism," of "Free Soilism," and not even "Abolitionism" itself was more bitterly loathed and execrated. This was logically inevitable. The slave power owned the Democratic party, body and soul, but the slave power itself could not live without the aristocratic foothold of large landed estates. A policy, therefore, which recognized the honorableness of toil, and the common and equal rights of the million on the lands of the government, must, of necessity, be fatal to slavery, if sanctioned. The step, once taken, could never be retraced. This the leaders perfectly understood, and the rank and file faithfully followed them. Repeated efforts to carry the homestead policy were renewed during the administrations of Pierce and Buchanan, but in every instance, as the Congressional record will show, they were defeated by Democratic opposition. A homestead bill did finally prevail in both Houses toward the close of the Thirty-sixth Congress, a sufficient number of the better class of Democrats joining the Republicans to accomplish the purpose, but the act was vetoed by one James Buchanan, whose chosen bedfellows were such men as Davis, Floyd, and Thompson, and who gloried in wallowing in the mire of Democratic depravity, while bending his cowardly back under the lash of his Southern drivers just as often as they saw fit to command him.

At last, under a Republican administration, the Homestead Law of 1862 was enacted; and the only honor that can be accorded to the Democratic party is, that its opposition, which was shown on the final vote in both Houses, had gradually grown smaller and smaller, as the supremacy of slavery in the United States continued to be threatened. Such is the ugly and damaging record which history must write down against the party, whose leaders at New York have added to their other sins that of the most transparent demagogism in dealing with the question of our public lands.

But the Democratic record on the homestead question does not end here. At the close of the rebellion, there remained in the States of Alabama, Mississippi, Louisiana, Arkansas, and Florida, about forty-six millions of acres of surveyed, unsold public lands. Just as soon as the land offices in these States could be got in running order the whole of these lands would be liable to be bought up in large bodies by rebel speculators and monopolists. The men who had secured so cruel a monopoly of the swamp lands, and



whose greed and rapacity remained as untamed by their defeat as their hatred of the negroes and their contempt for the poor whites, would, of course, spare no opportunity in the way of their further aggrandizement. One of the first duties of the Thirty-ninth Congress, therefore, was to deal with the practical question thus presented ; and a bill was accordingly reported from the House Committee on Public Lands, extending the Homestead Law over these regions in eighty acre allotments, and forbidding, absolutely, all further sales. The effect of this would be to dedicate to actual occupancy and tillage the whole of these millions of acres, in the interest of the landless poor, black and white, and in the interest of the nation itself through the increase of its productive wealth. Dividing the aggregate of these lands by 80, will give 575,000 homesteads to that many heads of families ; and allowing each head of a family to represent, on an average, five persons, these lands would give homes and shelter to 2,875,000 people, who must else be the mere supplicants for such favors as a relentless landed aristocracy may see fit to bestow. If we suppose one half of these lands unfit for cultivation, there would still remain enough to supply nearly a million and a half of the homeless poor in these States ; and I think I am safe, therefore, in saying that of all the measures that have been proposed in any quarter looking to the regeneration of these blasted regions, this may fairly be regarded as one of the most beneficent and far-reaching. It would lay the foundations of a true democracy, and a genuine civilization, where the curses of chattel slavery on the one hand, and wages slavery on the other, have so long wielded their baleful power through the monopoly of the soil. It would furnish a blessed outlet through which the helpless poor could escape from threatened suffocation and death, and at the same time point the way to other measures of relief, still more prophetic of a new heaven and a new earth in these latitudes, founded on the ruins of the past. The bill passed the House, and in a modified form went through the Senate ; and greatly to the general amazement it was signed by Andrew Johnson, who, just at that time, seems to have been "clothed and in his right mind," or, at least, not quite so drunk as he had been on other occasions. Under this law, the poor of the South, whether white or black, are selecting their homesteads, building their cabins, putting up their fences, and thus slowly but surely hewing out their way to independence while becoming the natural allies of the public good. They have already reclaimed and settled many thousands of acres, and their progress will be more

and more rapid as the rebel element of the South shall be subdued. The policy of the law has been, and doubtless will continue to be, obstructed, but it will be carried out ; and just so far and so fast as this shall be done, it will undermine the great landed aristocracy which brought on the war and is now the only obstacle to lasting peace.

Gentlemen, what is the Democratic record on this most righteous and perfectly unobjectionable measure, proposing to save forty-six millions of acres of land from the clutches of rebel monopolists, and set them apart in small homesteads for productive wealth and as homes for the poor ?

In the House of Representatives, on the 7th of February, 1866, Mr. Taber, a Democrat from New York, moved so to amend the bill as to allow its benefits to pardoned rebels in common with loyal men, and in contravention of the Homestead Law of 1862. The yeas and nays were ordered on this motion, and resulted : yeas, 37, all Democrats save six ; and nays, 104, *all Republicans*.

The next day, on the passage of the bill, the yeas and nays were again ordered, and the Democrats having signally failed to have rebels included in its proposed benefits, the vote stood, yeas, 112, all Republicans ; and nays, 24, all Democrats but two. What a beautiful and blessed record for the party which resolves, in its Seymour Platform, "that the public lands should be distributed, as widely as possible, among the people, and should be disposed of either under the preëmption or homestead laws, or sold in reasonable quantities, and to none but actual occupants." If our Democratic leaders have not completely outlived all sense of shame, I hope I may be able to rekindle it by holding up this Democratic vote on the Southern Homestead Law as a commentary on their New York resolution.

Gentlemen, let me now follow the Democratic record one step further, for I desire to expose the utter hollowness and mockery of the National Democratic Platform, respecting the land policy of the United States. I deem this at once a public duty and a public service, and should reproach myself were I to shrink from its performance to the extent of my ability.

In the year 1856, Congress granted to the States of Alabama, Mississippi, Louisiana, and Florida, lands amounting in the aggregate to nearly five millions of acres, to aid them in building sundry railroads, and gave them ten years within which to comply with the conditions of the grant. These States, not long afterward, created corporations for the purpose of accepting the grants and

performing the work as to several of the roads, but little, in fact, was done, prior to the breaking out of the rebellion. This event, of course, put a stop to all further movements, but it did not excuse these corporations, for every one of them, on the initiation of civil war, promptly espoused the rebel cause, and contributed all their resources to the work of dismembering the Union. They are, therefore, not only inexcusable, but in common with the States which created them are criminally recreant to their obligations; for they not only failed to perform their engagements, or even to attempt it, but signalized their bad faith by treason. The expiration of these grants by limitation caused the forfeiture of these lands to the United States, but without an act of Congress declaring the forfeiture they must remain tied up in the hands of rebel corporations, and could not be made available for settlement by loyal men. These lands are among the most fertile and desirable in the entire South. The New Orleans, Opelousas, and Great Western Railroad Company alone holds to-day, as a frightful monopoly, nearly a million of acres on which the landless poor of Louisiana are sighing for the privilege of securing homesteads. In other sections the lands are, perhaps, still more valuable, having been selected along the lines of mere roads on paper, where no attempt has been made to build them, and no purpose to do so was ever entertained. Every one can comprehend the mischief of these land grants, unaccompanied by any performance of their conditions, and aggravated by the treason both of the States and people intended to be benefited by them. They not only converted five millions of acres of choice lands into a wicked monopoly, but hindered settlements on the corresponding even numbered sections to an equal amount, and to some extent on the lands adjacent to the belt composing the odd and even sections. That these monopolies should be broken up, independent of the question of their treasonable character, is most obvious. That multitudes of the landless and loyal poor of these States are hungering and thirsting for the opportunity of acquiring homes upon them, is perfectly well known. That the Southern Homestead Law should at once be extended, and applied to them, in the interest of that class of people, is morally self-evident. That five millions of acres would give homesteads of eighty acres each to sixty-two thousand five hundred heads of families, and support a population of three hundred and twelve thousand five hundred, is as true as arithmetic. In the clear light of these facts, what was the duty of Congress? No loyal man will hesitate for an answer. It was to



wrest these lands from rebel monopolists, and extend over them the Homestead Law of June 21, 1866. I will feel under great obligations to any man who will give me a single valid reason why this should not be done. No such reason has been given, or can be given, either in Congress or out of it. So believing, I introduced a bill of the character indicated, at the July session of Congress, now over a year ago. It was debated at some length during the past winter, and finally passed the House, the Senate not having found time to consider it prior to the late adjournment.

Gentlemen, do you need that I should tell you how the Democracy of the House recorded their votes? The record is not now before me, but my distinct recollection is, that while the measure received the general support of the Republican side of the House it encountered the hostile vote of every Democrat who was present. True to the traitors of the South during the war, true to the vanquished rebels since its close, and true to the infernal spirit of monopoly and plunder, this last act of graceless recreancy to justice and decency evinces a consistency and courage which find no counterpart save in their insensibility to the claims of humanity and patriotism.

Gentlemen, in this condensed record of the action of our political opponents on the land question, you will observe that I have only referred, incidentally, to the record of our own party. That is a subject upon which I have no time to enter to-day, but which naturally suggests a far more pleasant task than the one I have been performing. Let me say, however, in the interests of frankness and fair dealing, that I do not hold the Republican party wholly blameless in its action upon the same question. Republicans joined hands with the Democrats in the passage of the Agricultural College Act of 1862, the provisions of which, authorizing the issue of land-scrip, are exceedingly mischievous and cannot be defended. I find, however, that of the twenty-five men in the House of Representatives who recorded their votes against it, twenty were Republicans. Republicans as well as Democrats are likewise involved in the frightful land monopolies created of late years by our most execrable system of Indian treaties, which I have had occasion to denounce, in very expressive words, in the House of Representatives. But the worst of these treaties, which have generally been concocted in secret by a few select thieves, have been most emphatically condemned, together with the system itself, by the lower branch of our Republican Congress; and in the Senate, I believe, the only opposition they have encountered has



come from the Republican side of the chamber, while the leading champion of the late Osage Treaty, by far the most atrocious of them all, was Senator Doolittle, of Wisconsin, who is now recognized as one of the ablest leaders of the Democratic party. Republicans are willing to face their own record, in searching out that of their foes; but if they were not, it would furnish no valid excuse for the deceitful and self-righteous pretensions of the Democratic leaders which I have endeavored to expose.

And now, in conclusion, while I ask you to recall the language of this famous resolution, and the empty and impudent strut with which it was fulminated in the late National Convention, let me recapitulate the chief points of interest in this most dishonored and scandalous Democratic record on the land question. I ask you to remember that the Democratic party inaugurated the policy of land grants in aid of canals and railroads, unguarded by any conditions looking to the multiplication of homesteads, or the settlement and productive wealth of the soil; thus creating monstrous and rapacious monopolies of the public lands, consigning great stretches of territory to solitude, and hindering the industrial progress and development of the country. Remember that the swamp land system, born of Democratic folly, misrule, and plunder, and fruitful of evil everywhere, has been fearfully ruinous in the South, breathing new life into the already alarming power of land monopoly, trampling down the rights of the poor, and consolidating the great aristocratic power whose madness at last ripened into the rebellion. Remember, that during the war, when a magnificent opportunity was offered for breaking up the gigantic power of landlordism in the States of the South, and of laying the foundations of republican liberty on the enduring granite of justice and the equal rights of man, the Democratic party spurned it, and, with alacrity, rushed into the embrace of the bloated aristocrats whose creed has ever been that "capital should own labor." Remember, that the Democratic party, ever dominated by the great landed power of the South in the form of African slavery, has been the consistent and inflexible foe of the homestead policy, and has thus branded itself as infidel to the rights of labor, false to its professed creed of equal rights for all men, and true only to its cherished fellowship with aristocracy and privilege. Remember, that two years ago, when the proposition was made in Congress to rescue forty-six millions of acres of public lands in the South from the control of traitors, and to carve them up into small homesteads for the loyal poor, thus making an entering wedge to other measures promising

the complete regeneration of society in that region, every Democrat in the House of Representatives recorded his vote against it. Remember, finally, that only a few months since, when the still more palpably righteous proposition was made to extend the Homestead Law over five millions of acres of land in the rich valleys of the South, and already under the control of rebel railroad companies, every Democrat in the House, true to the evil genius of his party, voted in the interest of these companies, thus mocking the fond hopes of thousands of the toiling poor who looked to these lands as a glad refuge in their weary conflict with hunger and want. This, my friends, is the Democratic record on the land question, in brief words. This is the historical picture which I hold, "as a mirror up to nature," and in the light of which I impale the Democratic leaders on the very plank they have plagiarized from the Republicans. And thus, in a word, have I nailed to the pillory the hypocritical pretense of Democratic orthodoxy on the land policy of the government, and Democratic sympathy for the landless and laboring poor.

## HOW TO RESUME SPECIE PAYMENTS.

IN COMMITTEE OF THE WHOLE ON THE STATE OF THE UNION, FEBRUARY 5, 1869.

[At this time both Congress and the country were surfeited with ambitious financial theories, not one of which accomplished any discoverable good. The simple and purely practical views here presented were quite naturally suggested, and their utterance is deemed to have been timely.]

MR. CHAIRMAN, — The simple and obvious solution of our financial problem is to be found in the reduction of expenditures and the increase of productive capital. This is the chosen and sure way to specie payments, and to real national wealth; and the time has come to confess it, and to plant our feet on the solid ground of actual facts. The country has been fed on mere theories long enough. The brains of our public men have been teeming with ambitious schemes of finance, all radically differing from each other, bewildering rather than enlightening the general mind, exciting false hopes, and kindling among the people a feverish discontent, instead of invoking the spirit of patience in the endeavor to accept the real facts of our condition and the lesson which they teach. Other methods are now wanting. Discarding metaphysical projects, and putting aside the folly of looking to the government for some splendid financial panacea which shall at once lift from us the burden of our debt and immortalize its discoverer, we must now turn to the plain and old-fashioned ways and means I have mentioned. There *is* no royal road out of our national indebtedness. There is no short cut to specie payments by the mere fiat of law, independent of our actual resources. Legislation can create a debt, but it cannot pay it. We might just as reasonably attempt to change the properties of the triangle by act of Congress, as to fix the precise day on which our national debt shall be fully paid, or our greenbacks redeemed in coin; since we have no foreknowledge of the course of the seasons, the productiveness of our crops, the vicissitudes of trade, the character and influence of future legislation, and other contingencies which must vitally affect our financial resources at any given time hereafter. Finance is no juggle, no sleight-of-hand by which the nation can be relieved of

its great debt without actual payment ; nor is it a Black Art, utterly inscrutable to the plain common sense of the people. Sir, what we want, I repeat, is economy of expenditure and increased production. On the one hand, we must cut down all appropriations to the lowest practicable figure ; refuse all frightful subsidies to railroads, steamships, and kindred projects ; revise the tariff and tax laws in the interest of labor ; and so reform the civil service that the money drawn from the earnings of the people shall not be squandered by incompetent and corrupt officials. On the other hand, the government, keeping within the scope of its legitimate powers, must remove as far as possible all obstructions to industrial development, and thus encourage foreign immigration, the extension of our railways, the settlement of our Western States and Territories, and the profitable exploration of our mines. It is this second branch of my subject, Mr. Chairman, of which I wish briefly to speak ; but before I do this, allow me to refer to some very instructive and encouraging facts and figures affecting our condition and prospects as a people.

According to Commissioner Wells, one million natives of foreign countries have permanently settled in the United States from the 1st day of July, 1865, to the 1st day of December, 1868. He says that investigations have been made which show that these immigrants bring with them on an average eighty dollars per head, while their average value as producers is one thousand dollars each. Immigration, then, since the close of the war, has added eighty million dollars directly, and five hundred million dollars indirectly, to the resources of the country.

Within the last four to five years our cotton manufactures have increased nearly thirty-two per cent. The increase in our woolen manufactures has been much larger.

The product of pig-iron from 1863 to 1868 has grown from 947 tons to 1,550,000 tons, being considerably in excess of that of Great Britain. The product of copper from 1860 to 1867 has increased from 6,000 tons to 11,735 tons.

The product of petroleum during the years 1864 and 1865 averaged 30,000,000 gallons. In 1867 it was over 67,000,000 gallons, and for 1868, up to the 18th of December, it was 94,774,291 gallons.

The product of coal during the past three years has averaged, annually, nearly 13,000,000 tons.

Our lake tonnage in 1866 increased twenty-four per cent. ; in 1867, eleven per cent.



Our average monthly consumption of sugars for the year ending November 30, 1868, was 12,061,280 pounds more than during the same period in the year 1867; and our average monthly consumption of coffee 734 tons more than during the same period of the previous year.

The increase in our agricultural products has been not less remarkable. The number of sheep in Ohio in 1868 was 1,274,204 greater than in the year 1865, and it is estimated that the number has doubled within the past eight years. The increase of her hogs from the year 1865 to that of 1868 was 700,000. The aggregate of her corn, wheat, and oats in 1865 was 107,414,278 bushels; in 1866 it was 118,061,911; and in 1867, 141,000,000. The number of hogs packed at the West in 1865-66 was 1,705,955; in 1866-67 it was 2,490,791; and in 1867-68, 2,781,084. The present rate of increase of the crop of Indian corn throughout the whole country is three and one half per cent., and the crop for the year 1868 is estimated at 1,100,000,000 bushels. In the year 1867 Minnesota exported wheat alone amounting to 12,000,000 bushels, which sold at an average of two dollars per bushel, increasing our national wealth on this one article alone twenty four million dollars; and it is estimated that not over two per cent. of her lands have yet been reduced to actual settlement. I quote these calculations from the late able speech of Mr. WINDOM, one of the representatives of that State.

Our cotton crop for the past year is estimated at 545,524 bales more than that of the previous year. Our railway extension since the year 1835 has averaged, annually, 1,156 miles. From the year 1865, and inclusive of that year, nearly 8,000 miles have been constructed in the United States, being more than double the annual increase prior to that time. Mr. Wells estimates that the gross earnings of our roads pay for their construction in a little more than four years. The total annual value of all the merchandise traffic on all the roads at present equals seven billions two hundred and seventy-three millions two hundred thousand dollars. From 1851 to 1867 the tonnage transportation has increased at the rate of eight hundred per cent. and the actual increase has been 42,480,000 tons. The estimated value of railway merchandise for the past sixteen years has increased at the rate of nearly four hundred millions of dollars per annum. From the year 1858 to 1868 the increase of tonnage on all the roads in the United States has been sixteen times greater than the increase of population.

Within the ten years from 1850 to 1860, our population has in-

creased fifty times faster than that of Great Britain, while the annual expenses of the latter are one hundred and nineteen millions greater than ours. During the railroad era of our country, from the year 1830 to 1860, the increase of our wealth was five hundred and eight per cent. From 1840 to 1860, our percentage of increase was two hundred and fifty-six, being more than eighteen times greater than that of Great Britain; and the most remarkable fact must be mentioned, that in the three and a half years following the close of the war we have paid eight hundred millions of dollars of our national debt.

In referring to our railway system it should be observed that according to the best authorities on the subject our foreign immigration increases in the ratio of our railway extension, and that the settlement of our vacant lands, the increase of productive wealth, and consequently of our exports and imports, conform to the same general principle. It should likewise be remembered that railway extension is now conceded to be the best if not the only solution of the Indian problem, and that just so far and so fast as this solution shall be accomplished, the frightful expenditures demanded by our Indian wars will be avoided. According to official documents, the expense of suppressing Indian hostilities in the years 1864 and 1865 was over thirty millions of dollars, and for every dead Indian two millions of dollars were expended. Our Indian troubles for the past six years have cost us one hundred million dollars, and calculations have been made showing that our several Indian wars within the past twenty years have cost us seven hundred and fifty millions. The present current expense of our Indian wars is believed to be one million dollars per week, or about one hundred and forty-four thousand dollars per day. These expenditures are startling, but they will be constantly diminished as our railways are extended, with the swelling column of settlement and civilization which will follow along their lines, fill up our distant borders, and augment our productive wealth.

Mr. Chairman, this encouraging exhibit of our national resources and material development would be wanting in its true value and full significance if not considered in the light of an important reflection which it naturally suggests. In the exact proportion that our wealth increases our national debt diminishes. To have paid our debt of 1865 twenty-eight years ago would have required ninety per cent. of all the property of the United States. But the payment of the debt of 1868 would only require about eight per cent. of our present wealth. The ratio of increase of our

wealth from 1850 to 1860 was nearly one hundred and twenty-four and one half per cent. ; but assuming that it will hereafter be only one hundred per cent. every ten years, the aggregate of our wealth in the year 1900, according to Commissioner Wells, will be two hundred and fifty-eight billions five hundred and fourteen millions of dollars.

In 1900, therefore, our debt will be only one eighth as great a burden as it is now, or one ninetieth of what it would have been on the property of 1840. A tax of *one* per cent. would then wipe out the entire indebtedness, while now it requires one per cent. to pay the current annual expenses of the government. The nation, therefore, in the gratifying growth of its wealth which I have sketched is *growing out of debt*, and growing so fast as to put to flight all apprehension as to our financial future. What it wants is free scope, and the untrammelled use of its resources and energies ; and this is forcibly illustrated by Commissioner Wells in his reference to the removal of the tax on manufactures, which compelled the Treasury to relinquish at least one hundred and seventy millions of dollars, and yet by stimulating the productive interests of the country it accelerated the payment of our debt. It did this, he says, on the principle that the power of contributing to the public revenue increases geometrically as the activity of production and circulation increases arithmetically.

What, then, Mr. Chairman, is the lesson which these facts and figures plainly teach ? Do they plead for some marvelous and as yet undiscovered scheme of finance, to supersede or help along the natural processes which we have seen are so hopefully at work ? I have already answered this question. The true financial policy of the government to-day is that of a masterly inactivity, leaving the great forces of industry and trade to do their work, to "uncover our mountains of gold and silver," to build our railways, to multiply the tillers of the soil, and thus to solve the problem of our finances by the creation of wealth. "All that government can do," says Buckle, "is to afford the opportunity of progress ; the progress, itself, must depend upon other matters." He asserts, as the general testimony of history, that the best laws that have been enacted in any country are those by which some former laws were repealed ; and that while the power of government for evil is incalculable, its power for good, beyond the mere preservation of order and the punishment of crime, is negative only, and simply auxiliary to natural and social laws. All that Congress can do to improve our finances, or speed the payment of our debt, is to



remove some of the principal obstructions to the development of our resources, and thus "to afford the opportunity of progress;" and I now come to the discussion of this point.

The first duty of Congress, Mr. Chairman, is to forbid the further sale of another acre of arable public land, except as provided under the preëmption and homestead laws. This should be done instantly, and the time is coming when our failure or refusal to do it will be regarded with inexpressible surprise and sorrow. We say to the landless poor man, "Go upon any portion of the surveyed public lands, select your homestead, occupy and improve it, and it shall be yours." But we say to the speculator, "Go also, with the free license of Congress to throw yourself across the track of our struggling pioneer settlers, by buying up great bodies of choice lands, forcing them beyond you into the more distant frontier, or compelling them to surround your monopoly by their improved homesteads, which shall thus make *you* rich by their toil and at the nation's cost." Sir, such a policy is as financially stupid as it is flagrantly unjust. It has marred and crippled the Homestead Law from the beginning, rendering it a measure of half-way reform at best. On another occasion I have shown that more than thirty millions of acres, since the formation of the government, have fallen into the grasp of monopolists and been consigned to solitude, through the regular partnership which the government has formed with the speculator to cheat the poor man out of his right to a home, and the country itself out of the productive wealth which these millions might have yielded under the hand of industry.

Sir, why should Congress any longer tolerate this wretched and ruinous policy? The wealth which is to feed our commerce and enable us to pay our debt must be dug from the soil. No man will dispute this fundamental truth. Then, why not dedicate the whole of our remaining rich lands to actual settlement and tillage, and while thus increasing our wealth provide homes and independence for the poor? Our Puritan ancestors, prior to their emigration to Massachusetts Bay, issued a paper in which they declared that "the whole earth was the Lord's garden, and He had given it to the sons of Adam, to be tilled and improved by them." And they asked, "Why, then, should any stand starving for places of habitation, and in the mean time suffer whole countries, as profitable for the use of man, to lie waste without any improvement?" Sir, this question, so earnestly asked by the Puritans nearly two hundred and fifty years ago, still demands an answer, and in the name



of the homeless and toiling poor of our land I ask it from the Congress of the United States. The interests of humanity and the development of our resources go hand in hand, and their joint plea cannot much longer be denied.

During the fiscal year ending June 30, 1868, there were taken under the Southern Homestead Law, in the five land States to which it applies, five hundred and twenty-six thousand and seventy-seven acres. During the preceding year there were taken two hundred and sixty-four thousand four hundred and eighty acres; and up to this date the aggregate amount thus appropriated since the passage of the law cannot be less than a million acres, supplying twelve thousand five hundred homesteads or farms of eighty acres each, as an addition to the producing power of the South. This was done by dedicating the public lands in these States to actual settlement only, and thus rescuing them from the threatened power of the speculator. The whole number of acres taken during the last fiscal year under the Southern and general homestead laws was two millions three hundred and twenty-eight thousand nine hundred and twenty-three acres; and the aggregate quantity taken from the passage of the original Act of 1862 to June 30 of last year was nine millions five hundred thousand acres, which by this date must have swelled to ten millions, being sufficient for one hundred and twenty-five thousand homesteads of eighty acres each. The settlements under these laws are steadily increasing, and all that is wanting to the full sweep of their beneficent operation is the prohibition by Congress of the further sale of our agricultural lands for speculative purposes, and the absolute pledge of them, in reasonable homesteads, to productive wealth. This, sir, is the great demand of the hour. The wide-spread mischiefs already inflicted upon our country by a false policy admit of no remedy; but Congress holds the key to the future, in the power to forbid all further obstructions to the settlement and improvement of the public domain. In the exercise of this power the Homestead Law would grow to its full stature, and have free course in accomplishing the grand work for which it was intended. Speculators and monopolists, having no longer the sanction or encouragement of the government, would betake themselves to more worthy pursuits. Our foreign immigration, already pouring in upon our shores at the rate of three hundred thousand per annum, would be largely increased through the motive power of greatly extended facilities of acquiring homes on our vacant lands. Railway extension, the increase of productive wealth, the growth of our exports and im-

ports, and the development of our mines, would all be quickened by this practical recognition of democratic equality and national repudiation of the principle of feudalism in these States.

Mr. Chairman, I proceed to notice another serious obstruction to productive wealth and financial prosperity which Congress should at once remove. I allude to our present system of land grants in aid of railroads. The evils of this system have become perfectly appalling, and no real friend of the country can contemplate them and hold his peace. Congress first fairly inaugurated the system some twenty years ago, and although it was originally vicious, it has for years past been constantly growing worse through the addition to it of new features, and the steadily increasing size of the grants. Congress has granted to the different lines of the Pacific railroads alone the estimated aggregate of one hundred and twenty-four million acres. If we add to this the grants made to the several States in aid of railroads and other works of internal improvement it will foot up not far from two hundred million acres. This immense domain has passed into the hands of corporations, and under the terms on which it was granted they hold it as a complete monopoly. They may sell it to actual settlers in moderate homesteads, or they may sell it to a single monopolist. They may sell it for a reasonable price, or fix upon it just such a price as they please. They may sell it to-morrow, or hold it forty years for a rise in price through the enhanced value to be added to it by adjacent settlements. Regions which the Commissioner of the General Land Office fitly describes as of "empire extent," and including vast bodies of the richest lands in the nation, are placed entirely beyond the power of our pioneer settlers. To the homestead claimant and preëemptor they are unknown, or known only to their sorrow and disappointment. The landless and laboring poor of the Republic, who do their full share in fighting its battles in war, must pay to organized avarice just such a tariff as it may see fit to exact for the privilege of cultivating the earth and adding to the national wealth. The Northern Pacific Railway alone has a grant forty miles wide, extending from the head of Lake Superior to the Pacific Ocean, and containing forty-seven millions of acres. It is just about equal in extent to the five States of Pennsylvania, New Jersey, Connecticut, Massachusetts, and New Hampshire, while the total grants made to all our various roads and for other works of internal improvements are nearly equal to the entire area of the thirteen original colonies of the United States.

Sir, will any gentleman on this floor defend this national havoc

and spoliation? Have we, as the representatives of the people, the *right* to commit to the tender mercies of monopolists territory enough for a score of principalities and kingdoms? When the nation is groaning under an immense debt can we afford to slam the door in the faces of foreign immigrants and our own people who are seeking homes on our vacant lands, and anxious to coin their labor into national wealth? Mr. Chairman, these are very practical and vital questions, and every passing day gives to them an added interest. Railway extension has become a passion with our men of capital and enterprise, and the demand for land grants meets us now in every quarter, at every turn, and is pressed with unparalleled zeal. There are now pending in this Congress at least fifty bills, asking grants of land for railroads, wagon-roads, and canals, and covering an area of more than two hundred millions of acres. The Southern States, so long excluded from any share in these grants, are doing their utmost to make up for lost time. Scores of new bills are sometimes presented and referred in a single day; and judging from the signs of the times the contagion which has seized Congress, and which threatens the country with general disaster, has only fairly begun.

The remedy, Mr. Chairman, is at hand, and is perfectly simple and easy. Let Congress provide that all future grants of lands in aid of railroads shall be made on the condition, expressed in the act making the grants, that they shall be sold to actual settlers only, in quantities not greater than one quarter section, and for a price not exceeding a fixed maximum. This will effectually destroy the monopoly which else would exist, and while furnishing immediate aid in building the roads will settle and improve the country along their lines, and thus create a local business for their benefit. Such a land grant policy can honestly be defended, because it harmonizes the interest of these enterprises with the settlement of the country; and it seems unaccountable that this should not have been seen from the beginning. A bill embodying this reform passed this House at the last session, and I regret, exceedingly, that it sleeps sweetly in the complacent embrace of the Chairman of the Land Committee of the Senate, and that by its side reposes another bill, passed by this House about a year ago, opening to homestead settlement nearly five million acres of land in the Southern States which for years have been tied up in the hands of rebel corporations, while the homeless poor of those States have longed to occupy and improve them.

Mr. Chairman, the reform of our policy respecting Indian reser-



vations would remove a further and very serious obstacle to productive wealth. Within the past seven years this policy has been thoroughly revolutionized. Up to the year 1860, when any Indian tribe saw fit to relinquish the right to its lands, the uniform practice of the government was to provide by treaty for the conveyance of their lands directly to the United States, and they thenceforward became subject to the control and management of Congress, as all other public lands. This was not only the true policy, but it was enjoined by the Constitution in the authority given to Congress "to make all needful rules and regulations respecting the territory or other property of the United States." The Indians have simply a right of occupancy in their reservations, the title being in the United States; and the treaty making power is not competent to change the land policy prescribed by Congress, but is itself bound by that policy.

The departure from this principle began in 1861, and has been persisted in ever since. One of the most notable examples of this new dispensation was the late treaty with the Cherokee Indians, by which eight hundred thousand acres were authorized to be sold in a body to a single purchaser, at the rate of one dollar per acre, thus completely withdrawing what would otherwise have been a part of the public domain from the control of Congress. The Indians desired to sell to the government, but were not allowed to do so; and the settlers on the land of course desired to adjust their claims with the United States, instead of the monopolists who bought it. It was a disgraceful transaction, and cannot stand. Another treaty, made with the Great and Little Osage Indians, authorized the disposition of over three millions of acres, in contravention of the homestead and preëmption laws, in derogation of the authority of Congress, and without excuse.

Similar treaties have been made with the Sac and Foxes, the Delaware, the Kickapoo, and sundry other tribes, by which vast bodies of lands which should have been conveyed directly to the United States have passed into the hands of railroad corporations, or individual monopolists; the treaties in these cases providing for the location and building of important lines of railroads in connection with these operations in real estate, as if Congress had in fact abdicated its interest in this branch of legislation in favor of the Senate and the savages. By far the most remarkable of all these transactions is the last Osage treaty, now pending in the Senate. It provides for the sale of a body of land in Kansas fifty miles wide and two hundred and fifty miles long, containing, conse-



quently, twelve thousand five hundred square miles, or eight millions of acres, which, divided by one hundred and sixty, will give an aggregate of fifty thousand homesteads of one hundred and sixty acres each; and allowing every head of a family to represent an average of five persons, it would sustain a population of two hundred and fifty thousand. The territory is nearly large enough to carve out of it three such States as Massachusetts, Connecticut, and Delaware.

And yet the whole of this domain is conveyed by the treaty to a single railroad corporation in Kansas, in utter disregard of the rights of the *bonâ fide* settlers on it, in defiance of the authority of Congress over our Indian reservations, the moment the right of occupancy is relinquished, and in shameless disregard of the equal rights of other railroad corporations to the aid of the government. All this land is sold to this corporation at nineteen cents per acre, on a credit of fifteen years, payable in equal annual installments, and in the bonds of the company; and without any reservation to the State of the sixteenth and thirty-sixth sections for educational purposes. To complete this picture it should be added, that this land is among the very finest in the State, and is probably worth at least ten millions of dollars. This beautiful and celestial performance — the blessed progeny of a meretricious union of railroad rapacity with a thieving Indian Commission appointed by Andrew Johnson — is now before the Senate for ratification; and judging from the past, and considering the suspicious cover of darkness under which the Senate acts in such cases, it will be ratified. If so, the consolation will be that the act, having no warrant in the Constitution, will have no binding force. Like the Cherokee and kindred treaties it will be pronounced void, whenever the question shall be fairly submitted to the federal courts.

But the policy of these treaties should be reversed at once, and thus avert further and interminable litigation and trouble hereafter. This House has already passed a joint resolution denying their validity, and directing that hereafter no patents shall be issued by the President to purchasers of lands in such cases without first being authorized by law. I sincerely hope the Senate will concur in this action, and thus restore the ancient policy of the government and the rightful authority of Congress. No man can defend our past action in thus joining hands with monopolists in squandering our great national patrimony, and conspiring against the productive industry of the nation. Our finances, of course, are deeply involved in this question. We have treaty stipulations with about one hun-

dred and fifty Indian tribes ; and the aggregate of their lands, according to official statements furnished me by the Commissioner of Indian Affairs, is one hundred and ninety-one million seven hundred and fifty-five thousand two hundred and four acres ; being just about equal in extent to the lands granted in aid of railroads. The whole of this immense domain is threatened by the frightful policy now in full blast, and must succumb to the baleful power of railroad corporations and land robbers if Congress shall tamely permit it. If we are ready for this we may as well abolish our General Land Office, with the corresponding committees of Congress, at once, surrendering their functions to the Indian Bureau and its allies ; and thus entertain the world with the spectacle of total depravity finally triumphant in an "Indian ring," struggling no longer against obstacles to its complete ascendancy, but in the perfect amplitude of its dominion and the full blaze of its glory. Sir, let us insist upon it that just so fast as our Indian lands shall hereafter be disencumbered of the possessory title by which they are now held, they shall be conveyed to the United States, and fall under the operation of our preëmption and homestead laws ; and that the President and Senate have no more power to build railroads and make land grants than has the Judiciary to enact laws.

Mr. Chairman, in addition to the legislative reforms I have now mentioned, looking to the increase of production and the resulting improvement of our finances, the nation needs a policy that would more effectually develop our wonderful mineral resources, and thus augment the *quantity* of our precious metals. This is absolutely necessary to an early return to specie payments ; and I have no faith in any financial theory which does not look to gold and silver as the true medium of exchange and standard of value. This is one of the questions which have been settled by the civilized and commercial world, and therefore I need not debate it. I believe a return to payments in coin is a necessity, and an increase in the product of it must, of course, speed the time when it can be done safely. The increase in our productive wealth, at the lowest estimate, is one hundred million dollars annually, while our product of gold and silver is actually on the decline. The disproportion of these metals to other values and to our commercial wants, already startling, is thus in fact increasing. How shall this disproportion be reduced ? I believe it may be done, to some extent, by reconstructing our legislation on the subject of our mineral lands. I allude particularly to the clumsy and ill-considered Act of July 26, 1866, which was hurried through Congress under the false title of

“An act granting the right of way to ditch and canal owners over the public lands in the States of California, Oregon, and Nevada.” The act declares that the mineral lands of the United States shall be open to exploration and occupation “subject to the local custom or rules of miners.” These “local rules” are to govern the miner in the location, extension, and boundary of his claim, the manner of improving and developing it, and the survey also, which is not to be executed according to the public surveys, with reference to base lines, and under the authority of the United States, but in utter disregard of the same. The surveyor-general is to make out a plat or diagram of the claim and transmit it to the General Land Office, upon which it is made the duty of that office to issue a patent to the claimant. In case of any conflict between different claimants it must be determined by the local courts, without any right of appeal to the local land office, the General Land Office, or to any federal court. The act, as I stated on its passage, is an absolute deed of quit-claim on the part of the United States of all right, title, or interest in the mineral lands of the nation, covering a million square miles, and commits them wholly to the disposition and arbitrament of the “local custom or rules of the miners.”

The act further gives to every claimant the right to follow his vein or lode, “with its dips, angles, and variations, to any depth, although it may enter the land adjoining, which land adjoining shall be sold subject to this condition.” This law, so radically revolutionary of the well-settled and well-understood policy of the nation, rests upon the “local custom or rules of miners.” Sir, what are these local rules and customs? I will allow the State of Nevada to answer. An official document, being a Senate report to the Legislature of that State on the subject of these local rules, informs us that as “to uniformity there is nothing approaching it. There never was confusion worse confounded. More than two hundred petty districts within the limits of a single State, each with its self-approved code; these codes differing not alone each from the other, but presenting numberless instances of contradiction in themselves; the law of one point is not the law of another five miles distant, and a little further on will be a code which is the law of neither of the former, and so on *ad infinitum*, with the further disturbing fact superadded that the written laws themselves may be overrun by some peculiar custom which can be found nowhere recorded, and the proof of which will vary with the volume of interested affidavits which may be brought on either side to establish



it. Again, in one district the work required to be done to hold a claim is nominal, in another exorbitant, in another abolished, in another adjourned from year to year. A stranger seeking to ascertain the law is surprised to learn that there is no satisfactory public record to which he can refer; no public officer to whom he may apply who is under any bond or obligation to furnish him information or guarantee its authenticity. Often in the new districts he finds there is not even the *semblance* of a code, but a simple resolution adopting the code of some other district, which may be a hundred miles distant."

The report proceeds to show that these regulations, such as they are, have no permanency. "A miners' meeting," the committee say, "adopts a code; it stands apparently as the law. Some time after, on a few days' notice, a corporal's guard assembles, and on simple motion radically changes the whole system by which claims may be held in a district. Before a man may traverse the State, the laws of a district which by examination and study he may have mastered may be swept away, and no longer stand as the laws which govern the interest he may have acquired, and the change has been one which by no reasonable diligence could he be expected to have knowledge of."

This comes from a great mining State, containing probably the richest deposits of gold and silver in the known world.

Sir, do we really wish to found a system of laws on these "local rules," enacted by a "corporal's guard" of miners, who are here to-day and gone to-morrow? What we want is not to recognize this system of instability and uncertainty, but to sweep it away, and usher in a system of permanence and peace through our system of national surveys. We have our General Land Office, with its local land offices in every portion of the public domain. Registers and receivers are to be found in the very midst of our richest mining regions, charged with the execution of our land laws within their respective districts, and in the very vicinity of the matter in dispute; authorized to call parties before them, hear their statements, take testimony, and determine the whole matter, subject to the reasonable right of either party to appeal to the General Land Office or to the federal courts. This machinery is as old as the government, and perfectly familiar to the people. Why abandon it, and substitute the local courts, with no right of appeal, as if these tribunals, guided by the "local rules" referred to, were infallible? Why pretend to *nationalize* our mining laws, when in fact the Commissioner of the General Land Office and



the government surveyors are the mere clerks and agents of the communities whose "local rules" are as unstable as water? Sir, the law is not simply imperfect, but a legislative abortion, worthy only of the crooked and left-handed tactics by which it was carried through Congress.

I ought to add that, in thus criticising the "local custom" of miners as the basis of a national policy, I am supported by the best informed men I have met from the mining States and Territories, who scout the idea of applying the word "custom," which implies long usage, to these fleeting and ever varying regulations; and I take great pleasure, in this connection, in referring also to the authority of Mr. R. W. Raymond, editor of the "American Journal of Mining," who was educated and graduated at Freiberg, Germany, is a mining engineer, and has now in press an able official report as our Commissioner of Mining Statistics, on our mineral resources, prepared by direction of the Secretary of the Treasury after personal and careful observations within the past year.

I will add further, that the provision of this law allowing the miner to follow his vein on to the lands of his adjoining neighbor, and undermine him, is wholly at war with American ideas. The old mining laws of Germany allowed this, but the Prussian Code of 1867 adopts the geodetical principle of ownership directly downward to the centre of the earth. So do the mining laws of France, as those of England have done from the beginning, while the famous mining codes of Spain and Mexico cannot be quoted as precedents for our statute. The strong tendency of modern legislation on this subject is against the policy on which the United States have embarked, and which must inevitably lead to unending litigation and strife. That such are its fruits in many instances is well known; while the departure from the geodetical system not only has no good reasons to support it, but is made in the face of reasons which render it, as a remedy, worse than any disease it could cure. It is wrong in principle. It offends the first teachings of mathematics and the plainest dictates of common sense. It was framed, I believe, in the special interest of lawyers. The law is vicious also in exacting improvements by the claimant to the value of one thousand dollars as a condition of title. This was evidently provided in the interest of capitalists, and could not have been prompted by the rank and file of our miners. Neither could they ever have sanctioned that feature of the law which requires the miner to pay the fees for surveying his claim, which are often

very heavy, and frequently debar poor men from the benefits of the law, while in the case of other lands where the fees are trifling the government makes the survey.

The practical working of this legislation has been such as any reflecting man would have anticipated. During the year 1866 our product of gold and silver amounted to seventy-six millions of dollars. During the past year it was only sixty-five millions, being a falling off of eleven millions of dollars, though the population and settlement of the mining regions has considerably increased within the past two years. That this crude legislation is a partial explanation of this decline in the product of the precious metals I have no doubt, and that its amendment in the points I have specified would add to their future product is equally evident.

Mr. Chairman, I now approach the conclusion of what I desired to say. The sum of it is that beyond the enforcement of a rigid economy, legislation can only lead the country out of its financial troubles by removing the several obstructions to national progress which I have mentioned. We can abolish the curse of land speculation, and devote the remainder of our public domain to actual settlement and productive wealth. A bill providing for this is now pending. We can reform our policy of railroad land grants, so that it shall build roads, and at the same time populate and improve the country along their lines. We can overhaul our disgraceful Indian treaty system, and provide by law that hereafter whenever the title to any of our vast reservations shall be extinguished they shall fall under the control of Congress, and be dedicated to settlement and tillage. And, finally, we can so reconstruct our legislation respecting our mineral lands as more fully to develop their vast wealth, and thus compel them to help efface the existing difference between our paper currency and gold. These, sir, are the four channels through which the swelling tide of our wealth must pour in, and save at once our national finances and our national honor. These are the golden gates through which the Republic must pass, if it would crush out the insidious but steadily growing power of Aristocracy and Landlordism, and secure for itself an honorable name among the nations calling themselves free. Through the adoption of these practical reforms specie payments would be resumed, just as soon as our quickened industries and improved condition would allow. Unprecedented prosperity and wealth would answer to the roused energies of the people and the moral power of equal rights guarded by equal laws. The Old World, inspired anew by our

blessed example in checking the growth of feudalism on our soil, would reinforce our grand army of producers by her surplus millions, and thus, as never before, add to our wealth and power.

"See the Old World," says Guyot, "exhausted by long cultivation; overloaded with an exuberant population, full of spirit and life, but to whom severe labor hardly gives subsistence; devoured by activity, but wanting resources and space to expand." On the other hand he describes America as "glutted with its vegetable wealth, unworked and worthless," and argues that it was made for the man of the Old World. "Everything in nature," says he, "points to this great change. The two worlds are looking face to face, and are, as it were, inclining toward each other. The Old World bends toward the new, and is ready to pour out its tribes." And he adds that "the future prosperity of mankind may be said to depend on the union of the two worlds. The bridals have been solemnized. We have witnessed the first interview, the betrothal, and the espousal; so fortunate for both. We already see enough to authorize us to cherish the fairest hopes, and to expect with confidence their realization." Sir, let us legislate in the light of these manifest tokens of Divine Providence. Let us, by the justice and humanity of our laws, invite Europe to our shores, and to join us in developing our inexhaustible and unused wealth. Let us reverently accept our part, and faithfully perform our duty, in the grand march of the world's civilization and progress to which we are summoned. Our great Pacific Railway will soon be completed, belting the continent with bars of iron, linking in friendly embrace the two great oceans of the world, and placing the United States on the great highway from Europe to China. Our position as a free Republic commands the world, and the hour has struck for us bravely to accept it. If we prove false to our grand trust, and in welcoming the Old World to our shores we welcome also its feudalistic practices, its effete theories of government, our guilt can only be measured by the mighty opportunity sinned away; while the Old World, instead of finding its new birth and baptism on our shores, will be buried in a common grave with ourselves. But if, on the other hand, we are inflexibly true to the rights of man, spurning all compacts with Serfdom and Caste, all the approaches of Aristocracy and Privilege, then the "contrast between the Old World and the New will soon be reduced into a grand and beautiful harmony that will embrace the whole earth."

## THE OVERSHADOWING QUESTION.

HOUSE OF REPRESENTATIVES, JANUARY 21, 1871.

[This elaborate review of our land policy, including all its later phases and most startling developments, has been published in large English and German editions by the friends of Land and Labor Reform. It is believed that the many facts it embodies in the way of argument and illustration, and the thoroughness of its discussion of general principles, give it both a present practical interest and a permanent value.]

MR. SPEAKER, — Nothing is more remarkable than the growing tendency of legislation in this country to lend itself to the service of capital, of great corporations, of monopolies of every sort, while too often turning an unfriendly eye upon the people, and especially upon the laboring poor. The cause of this may fairly be traced to the evil genius of the times, which makes the greed for sudden wealth a sort of devouring passion, and thus naturally clutches the machinery of government in the accomplishment of its purposes. This bad spirit, which has been steadily marching toward its alarming ascendancy since the outbreak of the late civil war, writes itself down upon every phase of society and life. It breeds political corruption in the most gigantic and frightful forms. It whets the appetite for public plunder, and through the aggregation of capital in the hands of the cunning and the unscrupulous, it menaces the equal rights of the people and the well-being of society. So malign a spirit must be resolutely confronted. It is no mere question of party politics, for it threatens the life of all parties, and the perpetuity of the government itself. It not only invokes the saving offices of the preacher and the moralist, but it summons to new duties and increased vigilance every man who really concerns himself for the welfare of his country.

Mr. Speaker, I believe the evil to which I refer finds some explanation in the false teaching of political economy. According to many of the leading writers on this science, its fundamental idea is the creation and increase of productive wealth. If farming on a great scale, carried on with the skill and appliances which concentrated capital can command and methodize, will yield greater results than the tillage of the soil in small homesteads and by



runder methods, then the system of large farming must be preferred, though it deprives multitudes of the poor of all opportunity to acquire homes and independence, and entails the appalling evils of landlordism and the whole brood of mischiefs with which the monopoly of the soil has scourged the people in every age of the world. So, if manufacturing on a grand scale, with the perfected machinery and cheap labor which capital can wield, will turn out a larger product and at lower rates than numerous small industries, then such manufactures must be fostered, though the policy pauperizes and brutalizes thousands of human beings who take rank as "operatives," and whose existence is thus made a curse rather than a blessing. Sir, I protest against such principles as both false and unjust. "The increase of wealth," says Sismondi, "is not the end in political economy, but its instrument in procuring the happiness of all. It has for its object man, not wealth. It regards chiefly the producer, and strives for the welfare of the whole people through a just distribution. It is not the object of nations to produce the greatest quantity of work at the cheapest rate."

In the light of these broad and humane principles I interpret the duty of the government. Its mission, within the sphere of its just powers, is to protect labor, the source of all wealth, and to seek constantly the well-being of the millions who toil. Capital can take care of itself. Always sagacious, sleepless, and aggressive, it holds all the advantages in its battle with labor. The balance of power falls so naturally into its hands that labor has no opportunity to make a just bargain. The labor market, it has been well observed, differs from every other. The seller of every other commodity has the option to sell or not; but the commodity the working man brings is life. He must sell it or die. Labor, therefore, should not be regarded as merchandise, to be bought and sold, and governed entirely by the law of supply and demand, but as capital, and its human needs should always be considered. "The rugged face of society," says a celebrated writer, "checkered with the extremes of affluence and want, proves that some extraordinary violence has been committed upon it, and calls on justice for redress. The great mass of the poor in all countries have become an hereditary race, and it is next to impossible for them to get out of that state of themselves. It ought also to be observed that this mass increases in all countries that are called civilized." The proposition that the rich are becoming richer in our country and the poor becoming poorer has been vehemently denied; but I cannot doubt its truth for a moment. I want no statistics to set-

tle it, since the unnatural domination of capital over labor, which, instead of being repressed by legislation is systematically aided by it, clears the question of all doubt. Our vitiated currency largely increases the cost of the chief necessities of life, and is thus a heavy tax upon the poor. Our system of national banking is an organized monopoly in the interest of capitalists, demanded by no public necessity, and rendering no substantial service in return for the burdens it imposes upon the people.

Our tariff laws for years past, while pretending to favor the laborer, have been framed in the interest of monopolists. The duty on coal, which is a necessity of life, admits of no defense. To tax coal is to tax the poor man's fire, "to tax the force of the steam-engine, to starve the laborer, on whose strength we depend for work." The duty on leather has increased its cost annually about ten million dollars, while the consumers of boots and shoes have had to pay an increase of some fifteen million dollars. The duty on lumber has largely increased its price, and is wholly paid by the consumer. The duties on wool, salt, and pig iron, impose heavy burdens upon the poor, and, like the other duties named, can scarcely be defended, even granting the principle of protection to be sound. This legislative discrimination in favor of the richer and more favored ranks in society, and against the laboring and producing masses, ought to cease. Instead of being loaded down with burdens and exactions for the aggrandizement of a few, they should share the unstinted favor of the government.

It is estimated by writers on public economy that four fifths of the people of a nation are employed by agriculture. Probably this estimate is too large. But it will be safe to say that in our own country at least one half of those engaged in industrial occupations are employed in agricultural pursuits; and they contribute to the gross value of national production three billions two hundred and eighty-two million dollars. The total number of those engaged in manufactures, including railway service and the fisheries, is seven hundred and thirty thousand, and they produce in value nine hundred and forty million and fifty thousand dollars. The estimated number of those engaged in mechanical pursuits is one million, yielding a product of one thousand million dollars. If we remember that the gross annual product of the country is only six billions eight hundred and twenty-five million dollars, and that, according to careful official estimates, only ten millions of our population are in receipt of income, or, in other words, contribute anything to the increase of our aggregate wealth, we shall see what a

stupendous service is rendered to the country by the great industries I have mentioned.

These are the vital interests of the nation ; and instead of being crippled and discouraged by the policy to which I have referred, they should be studiously fostered by just and equal laws. Under the influence of this policy, multitudes, stimulated by the hope of immediate wealth, are abandoning productive pursuits, and seeking employments connected with some form of speculation or traffic. The population of our great cities and towns, instead of reinforcing the "rural districts," is unduly increasing ; and so is the number of buildings devoted to banking, brokerage, insurance, and kindred projects. Not production, but *traffic*, is the order of the day. The enhanced cost of the instruments requisite for the prosecution of industrial pursuits, and the higher price of fuel, food, and clothing, naturally hinder the accumulation of capital sufficient to enable the man of small means to establish himself as an independent producer. This necessarily subordinates labor more and more to capital, and concentrates the business of manufacturing and exchanging into large establishments, while working the destruction of thousands of smaller ones.

Of course the tendency of all this is to render the many dependent upon the few for the means of their livelihood rather than upon themselves, and "to divide society into two classes: capitalists who own everything, and hands who own nothing, but depend entirely on the capital class." That the policy of the government, to a fearful extent, evokes and aggravates these evils can scarcely be questioned ; and that that policy results from the ugly fact that the laboring and producing classes are unrepresented in the government save by the non-producers and traffickers, is, I think, equally clear. It illustrates the evils of class legislation, and calls on the people to apply the remedy. "The unproductives," says Commissioner Welles, "being the chief makers of the laws and institutions for the protection of labor and ingenuity, the increase of production, and the exchange and transfer of property, they shape all their devices so cunningly, and work them so cleverly, that they, the non-producers, continue to grow rich faster than the producers. Whoever at this day watches the subject and course of legislation, and appreciates the spirit of the laws, cannot fail to perceive how more and more the idea of the *transfer* of the surplus product of society, and the creation of facilities for it, available to the cunning and the quick as against the dull and slow, has come to pervade the whole fabric of that which we call



government ; and how large a number of the most progressive minds of the nation have been led to accept as a fundamental truth in political doctrine, that the best way to take care of the many is to commence by taking care of the few ; that all which is necessary to secure the well-being of the workman is to provide a satisfactory rate of profit for his employer." Sir, I rejoice that facts like these are at last making their powerful appeal to the productive classes in every section of our country, and that the working-men of all civilized lands are waking up to a sense of their bondage to capital. Were they to continue much longer to slumber in the presence of the great dangers which thicken about their future and threaten to swallow them up, I should despair of their emancipation. The organized struggle for their rights has fairly begun. Eight-hour agitations, Trades Unions, Coöperative movements, Labor-reform organizations, and the International Association of the Working-men, on both sides of the Atlantic, in the maintenance of their rights, are so many unmistakable signs of a better dispensation ; but all these agencies will fail of their purpose, or prove palliatives at best, if they do not necessitate and include such organized political action as shall compel the governing power to respect their will. That this action will make mistakes, and abuse its power when obtained, is very probable. That it will sometimes employ questionable methods, and suffer the mischiefs of bad leadership, may be taken for granted ; but that in the end it will restore labor and capital to their just relative basis is as true as democracy itself. The Labor Question, indeed, is the natural successor and logical sequence of the Slavery Question. It is, in fact, the same question in another form, since the practical ownership of labor by capital necessarily involves the ownership of the laborer himself.

But the subservience of our legislation to individual and corporate wealth, and its practical unfriendliness to the producing classes, are most strikingly exhibited in the land policy of the government. In the endeavor to make this proposition clear I ask preliminary attention to the following considerations : —

First, that it is the unquestionable duty of the government to make its lands as productive as possible. It has no right to hold back from settlement and tillage vast tracts of territory fitted for agriculture, which its own landless citizens desire to convert into improved homesteads and make tributary to the public wealth. Such a policy is only less recreant than the wholesale destruction by law of productive wealth already drawn from the soil by the hand of industry.



Second, that in order to secure homes for the largest number, and at the same time reach the maximum of production, the government should parcel out its lands in homesteads of moderate size, and stimulate industry and thrift by making the land owner and the plough-holder the same person. "A small proprietor," says Adam Smith, "who knows every part of his little territory, views it with all the affection which property, especially small property, naturally inspires, and who, upon that account, takes pleasure not only in cultivating but in adorning it, is generally, of all improvers, the most industrious, the most intelligent, and the most successful."

Third, that this policy supplies the strongest bond of union between the citizens and the State, and is absolutely necessary in a commonwealth. Feudalism and popular liberty are totally irreconcilable. The strength of a republic depends upon the virtue and intelligence of each citizen, and his readiness to defend it in time of danger; and these safeguards are best secured by multiplying the number of those who own and till the soil, and whose stake in society thus makes sure their allegiance.

Keeping in remembrance these fundamental principles, which, from the beginning, should have guided and inspired the government in the management of our vast public domain, let me rapidly survey its actual policy, and thus exhibit its fatal departure from those principles. The entire aggregate of lands sold by the government since its formation is over one hundred and sixty million acres. Of this total amount I believe it would be safe to estimate that fully one half, at the date of its sale, passed into the hands of non-resident owners for speculative purposes. Of course, to whatever extent the people's patrimony was thus locked up by monopolists, productive wealth was hindered, and settlers deprived of homes; and when, from time to time, the lands were sold, the enhanced price was a cruel wrong to the poor, in which the government was an equal partner with the speculator, but without profit. More than thirty million acres yet remain in the hands of speculators, being enough to make one hundred and eighty-seven thousand five hundred homesteads, of one hundred and sixty acres each. If these thirty millions had been sold to actual settlers, and dedicated to the raising of corn, wheat, and other products, they would have been yielding, at the low estimate of ten dollars per acre, an annual profit of three hundred million dollars, while furnishing homes for the multitudes who have been driven to hunt them in the more distant frontier, and at the cost of greater privations and dangers. This policy is thus seen to be as financially

stupid as it is flagrantly unjust. In California two men own a frontage on the San Joaquin River of forty miles in extent, while two other speculators have bought government lands amounting to five hundred thousand acres. I give these as specimen cases. To realize the mischief of these monopolies it should be remembered that the tracts thus appropriated are to be found chiefly in the valleys, and fringing the bays and rivers, being the choice lands of the State. Very intelligent gentlemen in that State assure me that but for this evil, reinforced by railway monopoly, California to-day, instead of containing half a million, would boast a million of people. The blasting effects of such a policy are so startling that if written down in figures they would seem utterly incredible. A few capitalists in that State have also purchased vast bodies of choice timbered land in Washington Territory, and are realizing large fortunes by shipping its timber to San Francisco and elsewhere, while inflicting wide-spread and irreparable mischief upon the Territory.

Every gentleman from the States of the Northwest knows how those States have been scourged by this policy, while in the land States of the South, outside of the towns and cities, not one man in ten is a land owner. It has wrought upon the country evils more fearful and enduring than those of war, pestilence, or famine; and yet, through all the long years of its mad ascendancy, Congress, by a simple enactment like the bill now pending in this House, has had the power to end it forever. An act declaring that no more of the public domain shall be sold except as provided in the preëmption and homestead laws, was all that was needed to stay the ravages of this great national curse, and is all that is now wanted to avert its recurrence in new and still more frightful forms in the future. The working-men and pioneer settlers of the country have repeatedly petitioned Congress to enact such a law; but their prayer has been denied in every instance, while their rights have been trampled down in the interest of monopolists, whose wishes have been promptly coined into law. The Homestead Act fails to meet the case. The right of the settler to land free of cost is of far less consequence than the reservation of the public domain for settlers only, unobstructed in their right of selection. The Homestead Law is only a step in the right direction; for while it offers homes to the poor, it does this subject to the preferred right of the speculator to seize and appropriate the choice lands in large tracts, and thus drive the pioneer further into the wilderness and on to less desirable lands.

Congress should correct this great evil at once. The President emphatically recommends it, and the Republican party should no longer hesitate in perfecting its record, and making good its boasted friendship for the landless poor. The political platforms of all parties, during the past few years, have taken the same ground; and in this respect have only reflected the earnest and almost unanimous wishes of the people.

Mr. Speaker, I pass to another class of facts, and still more alarming to every man who will give the subject his attention. Congress has granted lands in aid of railways and other works of internal improvement amounting to over two hundred million acres. That these grants have done good service in the settlement and development of the country I do not doubt. This is not the point I am now considering, and is one aspect only of the subject. The fact to be emphasized is, that lands just about equal in area to the original Thirteen States of the Union have been surrendered to corporations, without any conditions or restrictions securing the rights of settlers. They may sell these lands for just such price as they please, or hold them back from sale altogether for a quarter of a century, or lease them for ninety-nine years. The public lands belong to the people; but Congress abdicates their sovereignty over a territory large enough for an empire, in the interest of great corporations which thus install a most gigantic and overshadowing system of feudalism in our Republic, whose founders believed they had escaped the monarchical principles of the Old World.

The original Northern Pacific Railroad Bill alone granted forty-seven million acres. The supplementary act of last session increased the grant eleven millions, making a total of fifty-eight million acres granted to one great corporation; and, as if to demonstrate the complete subserviency of both branches of Congress to the wishes of this company, every proposition looking to the rights of pioneer settlers, or in any way restrictive of the powers of the corporation, was successively voted down by strong majorities. Even the right of other roads to connect with this line was impudently denied. And this nefarious policy seems now only fairly launched. The Senate at its last session passed, in all, twenty land grant bills, calling for the enormous aggregate of over one hundred and sixteen million acres, according to careful estimates made by the Commissioner of the General Land Office. Two of these bills only have gone through the House, covering more than fifty-nine million acres. There are yet pending in the Senate some



thirty-seven bills, calling for the further quantity of over one hundred and nineteen million acres ; and some of these measures exhibit an audacity of recklessness so marvelous, and a contempt for the rights of the people so surpassing, that I find it difficult to credit the legislative record. Among them is a bill to encourage the establishment of a line of steamships for the conveyance of our mails to European ports and ports of India and China, and for promoting immigration from Europe to the Southern States. It calls for more than nineteen million acres, for which land scrip is to be issued to the different States named in the bill in certain specified proportions ; and fourteen million acres of the amount granted are to be gobbled up in the land States of the South from the unsold public lands of that section, which have been so wisely dedicated to homestead settlement only by the landless poor, white and colored.

A twin-brother of this project, and a miracle of legislative impudence, has been introduced in this body at the present session. The corporation which it creates is at once a chartered ocean carrier and a chartered land proprietor. The huge monopoly thus inaugurated, while destroying individual commercial enterprise under the false pretense of reëstablishing American commerce, would seize indefinite millions of acres of selected public lands in different sections of the country, and hold them back from settlement in aid of its own greedy purposes. The entire list of land grant bills pending in this House is not nearly so formidable as that of the Senate, nor have I ascertained how much land they would require ; but it would probably be safe to estimate that the bills yet pending in both Houses, if enacted into laws, would absorb fully one hundred and fifty million acres. If we remember that our entire public domain, outside of Alaska, is only about one thousand million acres, it will not be difficult to see, in the figures I have given, the extent of the conspiracy to rob the poor of this and coming generations of their rightful inheritance in the public domain, and to crush and subjugate the producing and laboring masses through the power of organized capital. The hope of the country is in the popular branch of Congress ; for the Senate, judged by its action at the last session, seems entirely beyond the reach of the people.

Sir, this whole policy should be abandoned absolutely ; or, if continued under any circumstances, it should be confined to works of clearly national character and importance, connecting important distant points, and passing over a thinly-settled region of



country; and the lands appropriated should not pass into the hands of any corporation, but be sold and conveyed directly to actual settlers, in limited quantities, and at such moderate price as to bring them within the reach of those who actually need them for homes. Nothing short of such restrictions can prevent the establishment of a landed aristocracy in our midst, worse even than that of the Russian and Hungarian nobles, or the old plantation lords of the South.

Mr. Speaker, the readiness of the government to espouse the cause of monopolists and corporations is not less forcibly illustrated in the management of our Indian reservations during the past eight or nine years. These reservations, when the Indians desire to part with their title, are no longer conveyed directly to the United States, and thus made subject to the control of Congress, as other public lands, but are sold by treaty to railroad corporations, or to individual monopolists, in utter disregard of the rights of settlers under the preëemption and homestead laws, and without any warrant whatever in the Constitution of the United States, which gives to *Congress* the sole power to dispose of and manage the public domain.

As I have shown on other occasions, millions of acres have thus fallen into the grasp of monopolists, which should have been the free offering of the government to our homeless pioneers. The most remarkable of these transactions is the late treaty with the Cherokee Indians, by virtue of which a territory fifty miles long and twenty-five miles wide, containing eight hundred thousand acres, was sold to James F. Joy for the price of one dollar per acre. The right which these Indians had in these lands was that of occupancy only, and this they had abandoned and forfeited by the attempted conveyance of it to the Confederate States in 1861. The lands were thenceforward subject to preëemption and settlement precisely as all other public lands, nor did the Cherokees manifest any disposition to occupy them, or any hostility to their settlement by our citizens. They had no desire whatever to convey the lands to any party save the United States, and their sole aim was to recover the value of their reservation, which they had vainly sought to convey to the public enemy. At the date of this treaty more than one thousand families were on the land as actual settlers, and there are now thirty-five hundred, or about eighteen thousand settlers, occupying the counties of Bourbon, Crawford, and Cherokee.

Two thirds of the heads of these families are honorably dis-

charged soldiers, who have in good faith settled upon these lands under the preëmption and homestead laws, as they had the right to do, made valuable improvements, and expended their spare means in securing for themselves comfortable homes. All these people, save those on the land at the date of this pretended treaty, are at the mercy of Joy. He is their potentate and king. As the head of a railroad which he is building through their lands, and in doing which he affects to dread the hostility of the settlers, he has called on the Governor of Kansas for military aid; and federal soldiers are now quartered on these settlers, at the instigation of the Governor, who acted in the matter on his own responsibility, and not by authority of law. To these wrongs and outrages, perpetrated in the interest of a single monopolist and his retainers, must be added the fact that the State of Kansas loses the sixteenth and thirty-sixth sections of these lands, to which she was rightfully entitled for educational purposes, while the United States lose the coal-beds extending over considerable portions of the territory, and valued at millions of dollars. The total value of the land, including these minerals and the improvements of the settlers, at a moderate estimate, may be set down at ten million dollars. So much for one single scheme of spoliation, carried on by the authority of the government against its own loyal citizens, whose hard toil is adding to the public wealth, and whose valor helped to save the nation in its conflict with rebels. The treaty making power, even granting the title of the Indians, had no more right to convey these lands to Joy than had Congress to usurp the functions of the Executive. The whole proceeding is void under the Constitution of the United States, and will be so declared by the federal courts, unless they too, like the manipulators of this treaty, shall lend themselves to the base uses of railroad corporations and the Indian ring. Sir, this transaction has no parallel, save in another treaty, not yet ratified, by which a tract of country belonging to the Osage Indians, two hundred and fifty miles long and fifty miles wide, and containing eight million acres, was sold to Sturgis, another railway baron, at the rate of nineteen cents per acre, to be paid in annual installments during a period of fifteen years, and in the bonds of his company.

Mr. Speaker, equally startling, not to say monstrous, has been the conduct of the government in dealing with its swamp and overflowed lands. The lobby which pressed the passage of the Act of 1850, granting such lands to the States, urged that they were of little value, and that the General Government could not

afford the expense of reclaiming them; but the truth is that, to a very large extent, they are the richest lands in the nation, and that the cost of their reclamation is no greater than that of other agricultural lands. It was likewise urged that the States could better be trusted with the work than the General Government; but time has fully demonstrated to the contrary, and very sadly to the nation's cost. The well-understood machinery of the General Land Office, available to individual energy and enterprise, afforded the best and only means of solving the swamp land problem. No legislation has ever been more disastrous to the country; and if the Act of 1850 was not framed in the interest of organized thieving and plunder, then its entire administration is so wholly out of joint with the law itself that an honest man is hopelessly puzzled in the attempt to account for it as an accident.

The act, in failing to give any definition of the phrase "swamp and overflowed land," has supplied a perpetual temptation to mercenary men and corrupt officials to pervert it to base ends. Instead of submitting the character of the land in dispute to the register and receiver of the local land office, and investing them with the power to compel the attendance of witnesses, it leaves the question to be decided by the surveyor-general, who has no judicial power, and is generally engrossed and often overwhelmed with his own proper duties. His office may be hundreds of miles from the lands in controversy, thus causing great and needless expense to the poor settlers, who are required to attend, with their witnesses, at the hearing, which is frequently appointed at a season of the year rendering it a great hardship if not an impossibility to attend.

Although the surveyor-general is an officer of the United States, it practically happens that local and state influences completely override the rights of the General Government. The lands are surveyed and their character settled soon after some unusual overflow, or in a season of great rains; or large bodies are declared swamp because small portions of them only are really so. By such methods the most frightful abuses are the order of the day, working the most shameful injustice to honest settlers, and fatally obstructing the settlement and development of the country. One hundred thousand acres in one land district, and situate in different localities near the summit of the Sierra Nevada mountains, some five to six thousand feet above the level of the sea, are now claimed by speculators as swamp, while it is shown by the sworn statements of many of the settlers on these



lands that they actually require irrigation to make them desirable in the raising of either hay or grain. Many of these settlers who have resided on these mountain lands for years, and made lasting improvements and pleasant homes in the most perfect good faith, are now brought face to face with hostile claimants under the Swamp Land Act, who have not the shadow of a right. More than sixty million acres in all have been selected as swamp, and over forty-five millions patented, being nearly double the quantity patented to railroads, and a very large proportion of which is dry land, and among the very best which the government owned. The work of spoliation is still in full blast, and nothing can arrest it but an act of Congress so defining swamp and overflowed lands as to make impossible the outrages to which I have referred; outrages so cunningly planned and so infernally prosecuted as to make quite respectable the average performances of professional pickpockets and thieves.

Mr. Speaker, the grants made by Congress for educational purposes may fairly be classed with the profligate legislation to which I have referred. Their aggregate for common schools, universities, and agricultural colleges is more than seventy-eight million acres. No conditions were prescribed to prevent the monopoly of this vast domain, or the frightful maladministration of it by the States which has actually taken place. In some of them the school fund has totally disappeared. But by far the worst of these educational enactments is the Agricultural College Act of 1862. Its grant of thirty thousand acres of land for each Senator and Representative in Congress absorbs nearly ten millions, which are handed over to the cause of monopoly. The States having public lands within their borders will hold back from sale the shares to which they are entitled in order to a rise in price, thus obstructing the settlement of the country and placing burdens on the landless poor; while the States having no public lands are entitled to scrip representing their proportions, which is thrown upon the market, and has generally sold at about fifty per cent. less than its par value. In some instances its price has gone far below this; so that while it fails to supply a fund with which to build colleges, it enables speculators to appropriate great bodies of the public domain at a very low rate, as if its settlement and tillage were an unprofitable or an unmanly employment, or a barbarian practice which the government should discourage.

More than eight hundred and eighty-four thousand acres have been located with this scrip in the State of California alone; and



I remember that at the last session Congress passed an act to perfect the title of a noted monopolist of that State to some thirty thousand acres so located, which act, by way of legislative irony, was entitled, "A bill amendatory of an act to protect the rights of settlers upon the public lands of the United States." Of the motives and purposes of the men who originated and carried the Act of 1862, I have nothing to say; but the law itself is as vicious and mischievous as if it had been studiously planned as a conspiracy against the public welfare. No man can defend it; and it ought to have been entitled, "A bill to encourage the monopoly of the nation's lands, to hinder the cause of productive wealth, and to multiply the hardships of our pioneers, under the false pretense of aiding the cause of general education." Kindred observations apply to our half-breed Indian scrip, which was to be issued to the Sioux Indians in person, but, by some black art, is now located in violation of this requirement. The whole amount of this scrip is nearly three hundred and twenty-one thousand acres, while scrip covering over seventy-seven thousand acres has been issued to the Chippewa Indians.

Our legislation respecting military bounty lands belongs to the same class. More than seventy-three million acres in all have been appropriated for military and naval purposes, the effect of which has been far more ruinous to the prosperity of the country than beneficial to the soldier and seaman. The warrants issued for the lands granted were to be located only by the soldier. It was soon provided, however, that he might locate them by an agent, and finally they were made assignable. The Commissioner of the General Land Office says that of the Mexican War bounty land warrants the records of his office show that not one in five hundred of those issued and placed in the hands of the soldiers or their heirs has been located by them, or for their use; and he estimates that not to exceed ten per cent. of them have been used by preëmptors as assignees in payment for actual settlement, the remainder having gone into the clutches of the speculator. While the soldier was cheated out of his warrant, or sold it at a very low rate, the public domain, which should have been free to him and to all other poor men, has been absorbed by monopolists, who have fixed upon it such tariff as they could exact from those in search of homes. And yet, in the face of these unfortunate but very instructive facts, persistent attempts have been made in Congress for years past to reenact the same mischievous folly. Several bills are now pending in this House providing bounty lands for the

soldiers of the late civil war, one of which calls for one hundred and sixty acres for each soldier who served twelve months. The number of these, according to careful official estimates of the War Department, is at least two millions, exclusive of deserters, those who paid commutation, and those dishonorably discharged. Multiplying this by one hundred and sixty, we have the aggregate of three hundred and twenty million acres of land. It is by far the most appalling scheme of spoliation of which I have any knowledge, calling for about one third of the remaining public domain, exclusive of our Russian possessions. The warrants issued for these lands, when thrown upon the market, would probably sell as low as a quarter of a dollar per acre, or less ; a pitiful mockery of the soldier, while the preëmption and homestead laws would be practically nullified, and curses innumerable lavished upon coming generations. It would make the plunder of the people a national institution, and breed an army of vampires to prey upon their life. Sir, I need hardly say that the soldier asks for no such legislation ; but he does ask that the public lands shall no longer be squandered by speculators, but set apart for those only who desire them for homes.

Like considerations apply, with almost equal force, to another pending measure, providing that every honorably discharged soldier and seaman who served ninety days in the late war for the Union may select one hundred and sixty acres of the public domain, and receive a patent therefor at the end of five years, without settlement. If all of our soldiers and sailors should apply for land, as they would have every reason to do, since they could get it for the asking, the measure would absorb more than three hundred and fifty million acres. If one half only should apply, it would require every acre of land which the government could survey within the next twenty-nine years, at the rate our surveys are progressing, thus totally blocking up the general march of civilization and settlement now in progress, and consigning the public domain to solitude ; while the soldier, on receiving his patent, would be under no obligation to settle on his land, and might sell it to the shark who would be lying in wait to take advantage of his poverty in driving a bargain. The bounty which the soldier needs and deserves should be paid in money, and be graded in amount according to his term of service ; or if land is to be given him, let him have it under the Homestead Law, with the discrimination in his favor that his term of service, whether long or short, shall be counted as part of the five years' settlement now prescribed by law.

But the government has not only thus favored the squandering of the people's rightful patrimony, but in some instances it has shown itself positively unfriendly to the producing classes, and especially to that grand army of occupation, the pioneer settlers. I give two notable examples. In the year 1864 Congress granted to the State of California the famous Yosemite Valley, in perpetual reservation as a pleasure-ground and spectacle of wonder. But it turned out that, prior to the grant, Hutchings and Lamon, two enterprising settlers, had selected homes in the valley under the pre-emption laws, built their cabins, planted orchards and vineyards, and expended some thousands of dollars in making themselves comfortable, while braving great hardships and privations in this remote and inaccessible region. California, however, having accepted the grant, caused an ejectment to be brought against these settlers, who appealed for protection to the Legislature; and an act was passed, subject to its ratification by Congress, reserving to each of them one hundred and sixty acres, including their improvements, and reserving to the State the right to construct bridges, avenues, and paths over the preëmptions, so that the public use of the valley could not be obstructed.

Early in the present Congress a bill was introduced in this body confirming the act referred to, and thus redeeming the pledge of the nation, embodied in the preëmption law, that their homes should be secured to them on compliance with its prescribed conditions. They were the only preëmptors in the valley, and the simple, naked question presented by the bill, was whether the government would maintain its plighted faith. The nation recognizes the sacredness of contracts. It will not allow any law to be passed impairing their obligation, and as between individuals compels their performance. Should it then deliberately violate its own contract with these pioneers, and thus proclaim its faithlessness to all settlers? The House of Representatives, on the second day of last July, answered this question in the affirmative. By its recorded vote of one hundred and seven against thirty-one, it declared that Hutchings and Lamon should be driven from their homes; and I must say that I know of no vote since the passage of the Fugitive Slave Act of 1850 which calls more loudly for general and unhesitating reprobation. It insults our hardy pioneers, who have encountered wild beasts and the scalping knife of the Indian in exploring our distant borders and extending the march of civilization, by telling them they are outlaws on the public domain.

It was said in the debate on this bill that these settlers might



start "lager saloons, cornfields, and cow-yards" on their premises; but surely that fact, should it happen, ought not to deprive them of their rights as settlers, nor could it possibly interfere with the public use of a valley containing over thirty-six thousand acres. Indeed, I think it might have been far wiser to carve it up into small homesteads, occupied by happy families, decorated by orchards, gardens, and meadows, with a neat little post-town in their midst, and churches and school-houses crowning all; but in any event the claims of these settlers should have been held sacred. The marvelous beauty of this valley can have nothing whatever to do with the right of preëmption as a legal principle, and is evidently used as a mere pretext. The truth is, as I have reason to believe, that wealthy capitalists from California, whose power is sometimes felt in Washington, have their eye on this valley. They are already a corporation in embryo for the purpose of obtaining a long lease of it, and building a magnificent hotel within its walls; and a part of their enterprise will probably be the construction of a railroad, with government aid, as near to the valley as practicable. Their animating purpose is to enrich themselves by levying tribute upon gentlemen of elegant leisure, rich tourists, and such others as can afford to endure their exactions, while such plebeians as Hutchings and Lamon will have to hunt other and less aristocratic pleasure-grounds. But whether I am right or not in these opinions, the defeat of the bill referred to was a flagrant wrong to these settlers. It was the complete miscarriage of justice. It can scarcely be necessary to add that the same measure had been twice reported adversely in the Senate, where it found even less favor than in the House.

But I am very sorry to say, Mr. Speaker, that the Federal Judiciary has at last made common cause with Congress against the rights of our pioneer settlers. The case to which I now refer arose between Whitney, a preëmptor of a quarter section of land included in the famous Spanish grant known as the Socol Ranch, in California, and which the Supreme Court of the United States had declared invalid, and General Frisbie, a noted monopolist, who claimed title to a portion of said ranch, including Whitney's claim, under an act of Congress passed chiefly through his agency. The local land office in California decided the case in favor of Frisbie; but on appeal to the General Land Office Whitney's preëmption was sustained. Frisbie then prevailed on the Secretary of the Interior to ask the opinion of the Attorney General on the question of law involved, which was the right of preëmption, the facts



being admitted. The Attorney General gave his opinion to the effect that a settler under the preëmption laws acquires no vested interest in the land he occupies by virtue of his settlement, and can acquire no such interest till he has taken *all* the legal steps necessary to perfect an entrance in the land office, being in the mean time a mere tenant at will, who may be ejected by the government at any moment in favor of another party. This opinion being accepted as law by the Interior Department, Whitney prosecuted his claim against Frisbie in the Supreme Court of the District of Columbia, which sustained his preëmption as valid. Frisbie thereupon appealed the case to the Supreme Court of the United States, which, in March last, decided it in his favor, fully affirming the doctrine of the Attorney General, that settlers on the public lands under the preëmption laws have no rights which the government is bound to respect.

Sir, a bad law may sometimes be explained on the ground of haste, or surprise; but here we have the deliberate judgment of the highest court in the Union that where the preëmption law invites settlers on to the public lands, and offers them homes on certain prescribed conditions with which they are willing and anxious to comply, the government may write itself down a liar before the nation by robbing them of the lands they have selected, and the money and labor expended upon them in good faith. And this is the *unanimous* opinion of the court. It totally ignores the strong and pointed authorities which the whole country has understood to have settled the law to the contrary, and the whole policy of the government during the past forty years; and whoever will read it carefully in the light of the facts of the case will find that it elaborately pettifogs the cause of the monopolist from the beginning to the end.

Sir, I brand it as the Dred Scott decision of the American pioneer. It threatens the complete overthrow of the land policy of the government, and the establishment of the vicious principle that settlers on the public domain are mere trespassers, with whom no terms are to be kept. It arrays the government against the poor man in his hard struggle for a home, and makes it the ally of monopolists, who have at last heard their triumph proclaimed from the supreme bench. It strikes at the nation's well-being, if not its life; for we are largely indebted to the wisdom and justice of our policy, as embodied in the preëmption and homestead laws, for our marvelous progress as a people, and for the place we hold among the other nations of the world. It signalizes the ugly epoch

we have reached in the domination of capital over labor, and the danger which menaces the very principle of Democracy. It strikes at the honor of the nation, which, as I have said elsewhere, can as innocently repudiate the debt it incurred in saving its own life as to violate its plighted faith to our pioneers that they shall have homes on the public domain on conditions which are honestly accepted and complied with on their part. They should be the favorites of the nation. The Preëmption Law should not be construed strictly against them, like a penal statute, but liberally, in furtherance of the great and manifest object. "The pioneer," says the President in his late message, "who incurs the dangers and privations of a frontier life, and thus aids in laying the foundation of new commonwealths, renders a signal service to his country, and is entitled to its special favor and protection."

Mr. Speaker, a distinguished Englishman and well-known friend of English working-men who has recently been among us, took occasion to exhort the working-men of our own country against the spirit of discontent, pointing them to our cheap lands, our fair wages for work, and the favorable condition of our poorer classes generally, while deprecating any special effort looking to their future welfare. Sir, if he had duly considered the facts I have presented I am sure he would have tendered no such counsel. Instructed by the state of affairs in his own country, he would have warned us against the very evils which make the social condition of England so frightful a problem, and which can only be averted here by sounding the cry of danger, and laying hold of the means of escape before it shall be too late. True, the condition of the working people of England and the United States is at present very different. The old feudal system of William the Conqueror crushes England to-day. The military features of the system, with the royal prerogative, have disappeared, and three fourths of her people are not now slaves, as was the fact a few centuries ago; but the principle of land monopoly inaugurated by that system is more powerful for evil now than ever before.

About the middle of the last century there were three hundred and seventy-four thousand landholders in England, while now she has only thirty thousand. The number is still decreasing. One half of her soil is owned by one hundred and fifty persons, and nineteen and a half millions of acres in Scotland are owned by twelve proprietors. These land owners have very properly been styled sovereign. They may consign a whole county to the solitude of a deer forest, or clear a large territory of its population as

they would exterminate vermin. Fifteen thousand people, without any respect to age, sex, or condition, and for no fault of their own, were turned out of the Sutherland estates in the early part of the present century. These things could not have been done under the old feudal system. Under that system the vassal, in return for his services, had lands allotted to him. If the lord had rights, they involved some corresponding duties to the slave ; but now the English landholder is more than a feudal lord, while the poor have no feudal rights. The extinction of small freeholders, and the absorption of the lands by a few, introduced pauperism, which has steadily grown with the growth of large estates. The poor have thus been driven into the towns, and compelled to live in hovels, dens, and garrets, just as the same consequences followed in republican Rome when the patricians seized the lands of the small freeholders and drove their occupants into the capital.

Under the feudal system the lands supported the poor and defrayed all the expenses of the state ; but now, while land in England is constantly rising in value, and its tillage is so greatly aided by steam-ploughs, threshing-machines, reapers, improved live stock, and increased knowledge of the capabilities of the soil, the land owner escapes the burdens of taxation and imposes them upon the poor, because he is the maker of the laws. This is a sad picture, and it forcibly illustrates what the Duke of Argyle says of the antagonism between natural law and legislation. No one can fail to agree with him when he says that this antagonism " must be eliminated if legislation is ever to be attended with permanent success ; " nor can any thoughtful Englishman disregard his warning when he declares that " institutions upheld and cherished against justice, and humanity, and conscience, have yielded only to the scourge of war." The salvation of England lies in the complete overthrow of her system of landed property, which has feudalized labor as well as land, and in the restoration to the poor of their rightful inheritance in the soil. This would solve the problem of her pauper labor, and open the way to the solution of every other vital question. By diversifying the pursuits of her people, and giving homes to multitudes who are dragging out wretched lives under her factory system, or driven into her almshouses and prisons, it would radically reconstruct the whole fabric of her social life. A disenthralled country would bear witness to the saying of St. Pierre, that " It is not upon the face of vast dominions, but in the bosom of industry, that the Father of mankind pours out the precious fruits of the earth."



But is the resemblance of our own country to England so faint as to awaken no concern for our future? Have we not borrowed from her very many of her feudalistic ideas and practices? Are we not following in her track "with a step as steady as time?" Our country, indeed, is relatively new; but for that very reason, ideas and systems, whether wholesome or vicious, ripen swiftly in this age of marvelous activities. Let me take the State of California as an example. She is cursed by a system of Spanish grants, covering her best lands, and handing them over in great bodies to individual monopolists; and this evil is greatly aggravated by the absorption into these monopolies of large tracts of government lands contiguous to them, through the shocking maladministration of federal and state officials. Then there are hundreds of thousands of acres of government lands bought by a few speculators, largely with college and Indian scrip at low rates, and thus held back from the landless poor, save upon such terms as these speculators may see fit to exact.

Besides all this, hundreds of thousands of acres have passed into the custody of the State, and thence into the clutches of monopolists, through a monstrous perversion of the swamp land acts of Congress, as already shown; thus inflicting upon the country and our pioneer settlers a stupendous wrong. The monopoly of California lands by her railroad corporations must not be omitted from this sad inventory, nor should it be forgotten that the power of this organized landlordism must inevitably exert a shaping influence over her judiciary, whose rulings have so often been most unfriendly to the poor. If to all this we add that the great landholders of the State, the Bank of California, her steamship companies, and her railroad and mining corporations, find it to their interest to stand by one another, and are to a considerable extent interested in common in the business of each other, we shall readily see that the maxim that "Capital owns labor" has a tolerably fair prospect of being verified in that State. To a very alarming extent the capital of the State holds the labor of the State in its power; and that it should seek still further to starve and degrade labor by coolie importations is the most natural thing conceivable. It wants a base and background for its growing domination, and longs to liken our country more and more to those of the Old World, in which not one man in five hundred is a land owner, and "wages slavery" bears almost as grievously upon the poor as chattel slavery once did upon its victims in the South.

The coolie traffic has its genesis in the aggregation of capital in



the hands of a few men, and especially in the monopoly of the soil ; but while it should be prohibited by strong statutes, the real remedy for it must be sought in the removal of the causes which produce it. We must go to the root of the matter. I have spoken of California ; but land monopoly in other States has become almost equally alarming. In all of them the spirit of monopoly is rampant, while the government, putting on the temper of the times, has become its representative and most powerful auxiliary. Feudalism, it is true, in its primitive form, has no existence among us ; but our great and rapidly multiplying corporations threaten us with a more fearful feudalization than that which cursed England five centuries ago. It brings the laboring classes more and more within its power, creating a subdued and subordinated class of proletariats like the Chinese, or an aggressive and embittered one like the English working people. The motives for cultivating the soil here in large tracts, and according to the principles of scientific agriculture, are quite as strong as in any other country, while the effort to capitalize our lands as naturally involves the spirit of association, through which a few men of administrative talent constantly enlarge their estates, and drive the poorer and less provident classes to the wall.

The effect of labor-saving machinery and steam upon the increase of production and the concentration of capital must be quite as potent here as in the countries of Europe in subjecting the laboring masses to the cunning and cupidity of the " captains of industry," as they are sometimes styled, who control our railroads, telegraphs, banking institutions, and land grants, being the monopolizers of transportation and controllers of credit and exchange. These men are not only the captains of industry, but, as I have shown, the captains of legislation also ; and their dominating idea is legislation for property primarily, and for man secondarily. They dictate our laws from the lobby, suborn the judiciary into their service, and poison the fountains of public opinion. Under their sway wealth is more and more centralized, and the very life of our free system of government is threatened.

The remedy for these evils, Mr. Speaker, is to be found in the thorough reconstruction of our land policy. This is the question of questions. It underlies every other, and no party deserves to live that will not face it. The questions of the tariff, of finance, of internal taxation, of civil service reform, and of national education are simply side issues. The just solution of all of them will be comparatively easy, if aided by a wise settlement of the

land question. The labor movement itself will prove an unmeaning wrangle, if it does not plant itself upon this as its central idea, and press its demands for other reforms through its adjustment. In pointing out the evils of our present policy I have indicated some of the reforms which these evils make immediately necessary ; but we have gone so far in the direction of feudalism, and are still drifting toward it at so fearful a rate, that the right of private property in land may itself ere long have to be reconsidered. This right, in its unlimited sense, is disowned by three fourths of the human race, including the ablest thinkers of the present generation. It is at war with the great primal truths of the Declaration of Independence, and can no more be defended than the absolute right of private property in the sunlight and the air. I do not propose, or even suggest, any scheme of agrarianism ; but that this asserted right, according to some just method yet to be applied, should be subordinated to the rights of man and the public good is as true as any of our fundamental political maxims.

Sir, this question reaches down to the very bed-rock of democracy ; for if a few individuals or chartered corporations may absolutely own millions of acres, they may own the whole of a State, or a continent, and thus practically enslave its people. The unrestricted monopoly of the soil thus logically justifies a land-owning despotism, and is just as repugnant to republican government as slavery is to freedom. The landholders of a country govern it, and therefore the struggle for equal rights, whether in this country or in Europe, must resolutely uphold the natural right of the people to an inheritance in the soil. Thus only can they most certainly work out the overthrow of every form of aristocratic and dynastic rule, and institute a real democracy in their stead. Every household is a little commonwealth, and the aggregate of these makes the nation. The family is the peculiar institution of the race, the most blessed creation of God ; and nations are prosperous and strong in the exact proportion in which it is protected and cherished. It is the foundation of society, the parent and master of the State. The home embodies all that is best in our civilization, all that is most precious and sacred in the idea of country, of liberty, and of life. To guard and foster it should be the grand purpose of our laws ; and to fail in this duty, or to throw obstacles in the way of the multiplication and security of well-ordered homes, is to strike at the life of free institutions.

The land question then, I repeat, is the great living issue and overshadowing question of American politics. No other problem

goes down so deep, or lies so near the heart of the people. Even the grand cause of woman's enfranchisement is fairly included in it, in so far as the ballot is powerless to save in the hands of landless citizens; while that cause must find its chief support in the laboring masses whose battle-cry is "Homes for all," and who will welcome the heart and brain of woman as their natural and most powerful allies.

## THE RAILWAY POWER.

HOUSE OF REPRESENTATIVES, FEBRUARY 21, 1871.<sup>1</sup>

[The views here presented of the Railway as a political power, will be found suggestive, while the cry of danger is sounded none too soon. It is to be hoped the people will heed it in season.]

MR. SPEAKER, —The action of this House on the South Pacific Railway Bill is quite remarkable, and fitly exemplifies the spirit and policy of what may properly be called the railway power of the United States. For some time past the opinion seems to have been gaining ground, both in Congress and out, that our land grant policy has been very decidedly checked, if not finally overthrown. The indications of this have been thought palpable enough. The huge pile of Senate bills on the Speaker's table has been allowed to slumber, and the House has manifested a sort of instinctive dread of the motion to take them up, on account of the immense quantities of land which they propose to hand over to monopolies.

This body, at the last session, unanimously passed a resolution condemning all further grants of land in aid of railroads, and the Republican party, recognizing the popular hostility to these grants, paraded this resolution in a campaign document last year as evidence of its soundness on the question of friendliness to our pioneer settlers. This House also, again and again, has declared that if further grants are to be made, the lands granted should be sold only to actual settlers, in quantities not greater than one quarter section to a single purchaser, and for such reasonable price as to bring them within the reach of those who actually need them for homes, thus accepting the obvious principle that the building of the road and the settlement and tillage of the land along its border are mutual helps to each other.

The President, in his last annual message, favors this policy, and gives us his opinion against the expediency or necessity of further grants of lands for railroad purposes, and in favor of reserving the whole of our remaining public domain for actual settlers under the preëmption and homestead laws. To these tokens of a healthy

<sup>1</sup> On the Bill to incorporate the Texas Pacific Railroad.



reaction in favor of the rights of the people and against the further squandering of their great domain, may be added numerous resolves and instructions of State Legislatures, and of the people of all parties in their conventions within the past year.

But these signs of the times, Mr. Speaker, have not been unmistakable. The railway power has had no dream of surrender, and has been more tireless and sleepless than ever before in the prosecution of its purposes. This was fully made manifest a week or two ago, on the motion of the gentleman from New York [Mr. WHEELER], to refer this South Pacific Bill to the Committee on the Pacific Railroad, with leave to report at any time. This motion was overwhelmingly carried; thus showing how completely the railway interest in the House had been organized, and how perfectly it held this body in its power. No such favor had been accorded to any proposition during this session affecting the public lands. Under the leave thus given the bill is reported back in an amended form, but without any restrictions whatever guarding the rights of settlers. Some eighteen million acres of the public domain are handed over by it to one great corporation, in utter disregard of the policy so earnestly urged by the President, in contempt of the people's wishes as expressed in such manifold forms, and, as I have shown, in mockery of the record of this House made at the last session without division, and made repeatedly for years past, in favor of guarding these grants in the interest of the landless poor. What is the result? The Chairman of the Pacific Railroad Committee, in reporting his amended bill, moves the previous question, thus cutting off all debate, and all amendments save as permitted by himself. Knowing that a South Pacific road ought to be built, under a properly guarded bill, knowing how popular is the idea of its necessity, and holding the power to compel members to vote against the bill, or else to vote for it with all its imperfections, he demands a vote at once. What does he care for the rights of settlers? What did he care a year ago, when the Northern Pacific Bill was carried in the same way, surrendering to one corporation fifty-eight million acres of the people's patrimony? What did he care if this South Pacific Bill allowed the corporation, along a portion of its line, to go any distance from the road on one side of it in grasping the public domain, because there was a deficiency on the other?

The chairman of the committee represented the spirit and tactics of the peculiar institution known as the railway, and was the chosen man to do its work; and I award him the credit of doing it

faithfully and courageously. I asked him to allow me to offer an amendment, wishing to make the bill conform to the policy I have indicated. He refused me the privilege. I asked him to allow the amendment to be read, so that the House might know what I proposed. This also he declined. I then asked him to allow me only three minutes of his hour to debate the proposition, but this also was denied, while awarding the floor to sundry others whom he probably regarded as less obnoxious to his purposes. But I still did not despair. The relations existing between the distinguished chairman and myself are most friendly. I could not believe his obligations to this company would compel him to cast me off entirely. He knew that I had been giving some attention to our land policy for twenty odd years past. He knew that for ten years I have been an active member of a committee of this House considerably older than that on the Pacific Railroad, and having concurrent jurisdiction with it on the land question. I hoped, therefore, he would not refuse all my petitions, and I begged of him now only the privilege of asking him a single question. But this, too, was denied. The distinguished chairman of the committee could not spare the time; and yet he promptly awarded the floor to the gentleman from Ohio [Mr. GARFIELD] to ask three questions, each preceded by a preface, and so plainly foreshadowing the ready answers which were given as to excite the laughter of the House, while not one of them touched the vital defects of the bill. The previous question was seconded, and the perfectly disciplined forces in support of the bill passed it, by — yeas 135, nays 70.

Mr. Speaker, in thus referring to these suggestive and pregnant facts, I beg not to be misunderstood. As I have already said, this South Pacific road should be built. From the first I have looked upon the enterprise with favor, and have earnestly hoped that a bill providing for it might be so well considered and so carefully framed as to command the support of those who regard the settlement and improvement of the public lands as not less important than commercial facilities. Nor do I cherish any hostility to railroads generally. Both by speech and by vote have I borne my testimony to the contrary, during my service in this body. It has been well said that in this country railways create the towns which they connect, and carry civilization and all the appliances of civilized life with them. Undoubtedly they help develop the country; but the development theory may be carried too far, and too fast. It is one thing to establish great lines of intercommunication, foster great commercial enterprises, amass great wealth

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in the hands of the few, and show the world the spectacle of a magnificent government founded on the aristocracy of wealth. It is quite another thing, while looking to the healthy development of our commerce and the activity of capital, to so shape the administration of affairs as to preserve in their full vigor the principles of democratic government and the republican virtue of the people.

A thoughtful article in the last number of the "Westminster Review," on the future of the railway in the United States, asserts that we "are rapidly entering a new feudal age, in which industry pays its tribute to commerce, as in former times it did to the sword. The despotism of this feudalism is as certain as was the other, though the means for enforcing it are more subtle and complex, partaking in this respect of the change in the application of force which has marked the advance of industry itself. Industry now does not depend upon mere muscular energy, but upon steam, nor does despotism depend upon the sword for maintaining its rule, but upon legislation, upon financial methods, though in both cases the chief hold upon the people is founded upon the possession of the roads." The writer proceeds to illustrate his meaning by referring to the power of the old feudal barons over the roads passing through their territory, in virtue of which they levied such tribute as they saw fit upon those who passed over them; and he mentions three of the States of our Union which are as completely under the control of their railways, in their political, financial, and commercial interests, as ever the people in feudal times were controlled by the baron in his castle.

Referring to one of the modern methods adopted by railway corporations for increasing the power of capital over industry, commonly known as "watering their stock," he compares it to the kindred policy of the feudal barons in debasing the coinage which they forced upon their unwilling subjects. He declares, what no one will dispute, that the railways of the United States, as against the public, invariably act in harmony; and he adds, that "when it is remembered that this combination represents an aggregate of capital estimated at \$2,000,000,000; that it employs hundreds of thousands of persons who are dependent upon it for support; that it is spread like a net-work over the entire country; that the industry of millions is dependent upon it; that its managers are active, devoted, and skillful men, who, being peculiarly subject to the commercial spirit which values only success obtained by any means, are peculiarly tempted to be unscrupulous concerning the methods they may employ to gain their ends, it becomes a serious



question what shall be the result. Is there room in a democratic country for such a combined monopoly? To the student of social problems there is no question more important than this: Shall the world's progress toward the amplest conditions for the freest individual development in civilized society be checked and balked by obstacles of its own creation? Shall the latter half of the nineteenth century behold such a desperate struggle for the destruction of commercial feudalism in the United States as Europe witnessed during the closing years of the eighteenth, in overthrowing the feudalism established by the sword?" Sir, I commend these questions to the most earnest consideration of this House, and of the whole country. I cannot hope, in the light of what I have seen here, that they will arrest the attention of the gentleman from New York [Mr. WHEELER], or even the gentleman from Ohio [Mr. GARFIELD], whose brief dialogue with the Chairman of the Pacific Railroad Committee ended in his happy reconciliation to the South Pacific Bill. But they cannot fail to be pondered by those who prize the equal rights of the people and the broad interests of the whole country, untrammelled by special influences.

The question presented by the railway power of the United States is the question of commercial feudalism. It is the question of democracy on the one hand, and aristocracy on the other, meeting in deadly conflict for the mastery. It is the question whether we shall have a government resting upon the policy of small farms, compact communities, free schools, and equality of rights, or a government owned and dominated by great corporations which never die, which band themselves together as a unit against the rights of the people, and will accept nothing short of imperial power over Congress, State Legislatures, and the courts. The railway, as one of the great forces of American politics, is new; but in this age of marvelous activities and commercial greed it already represents a larger moneyed interest than that through which three hundred thousand slaveholders so long and so absolutely governed the country. "It took generations to limit the baron's prerogative by law, but in less than twenty years the law has been made the servant to do the bidding of the railway."

Sir, I ask gentlemen to take these startling facts home to themselves, and lay them to heart in season. I ask them to consider whether our hot-bed policy of building up towns and great cities, amassing vast private fortunes, and fostering luxurious and extravagant living, is not eating out the virtue of the people, and sapping the very life of our institutions? Democracy can only grow and



thrive in the sun and air of equal laws and equal opportunities. It gathers its vitality from the conditions which surround it. It must breathe the atmosphere of the whole people, and renew its life in the fertilizing dews of their common humanity. It needs to be cherished and strengthened by ceaseless discipline and care; like the life of the body, and must wither and die under the shadow of aristocracy and privilege in whatever form.

In theory ours is a government of the people; but in practice it is rapidly degenerating into an oligarchy of grasping capitalists, wielding their power through our constantly multiplying corporations. Since the formation of the Government we have sold in all only one hundred and sixty million acres of the public domain, a large proportion of which was bought by non-resident owners for merely speculative purposes, and is to-day held back from settlement by our homeless people; but we have allowed two hundred million acres to fall into the remorseless grasp of corporations, whose feudalization of land and labor I have indicated, while bills are now on the Speaker's table calling for the additional quantity of at least one hundred million acres. Can any thinking man face these facts and feel that the Republic is safe?

Can a government be called free whose citizens are made landless by its systematic policy? Can a republic, still in the day of its youth, be honestly lauded, in which the relative number of its land owners is constantly decreasing, while the obstacles to the acquisition of homes are constantly multiplied? Let it be remembered also that while these millions of acres are being surrendered to corporate wealth, and still other millions are passing into the hands of monopolists under the name of military bounties, college scrip, swamp land grants, and Indian treaties, Congress, as if the absolute slave of these monopolies, persistently refuses to legislate for the workingman and pioneer. A bill to prevent the further sale of the whole of our remaining public domain which is fit for tillage, except to actual settlers under the preëmption and homestead laws, would prove a more beneficent and far-reaching measure than even the Homestead Law itself. It would simply carry out the avowed policy of the administration, and make it impregnable. It would intrench it in the hearts and homes of the people, and insure the Republican party a new lease of its life. It would, I am sure, be welcomed by ninety-nine hundredths of the people of the United States, and condemned by those only who believe in the gospel of plunder and spoliation. I challenge any man, of any party, to give me a single reason why Congress should not pass

such an act at once. I challenge any man to account for the repeated votes in this body against this proposition, without reference to the corporate and special interests to which I have referred, and whose will has uniformly taken the shape of law. For years have I striven for it in this House, and with increasing earnestness, as I have seen the public domain melting away under the shamelessly prodigal policy of the government. The measure was voted down at the last session on the yeas and nays by a large majority, as it had been before, and I fear I shall not be able to try the question again at this session. We carried it as a measure applicable to a few States and Territories in July last, at the instance of their representatives, but our bill sleeps in the Senate Committee on Public Lands, and will know no waking, because it would inaugurate a policy threatening the profits which organized capital and financial rapacity hope to realize through still further raids upon the public lands. Let the people note the fact, and let their watchword henceforward be, the emancipation of the public domain, and the emancipation of themselves from their cruel and unnatural bondage to corporations and associated wealth.

## REVIEW OF CONGRESSIONAL POLITICS.

CLOSING REMARKS AT DUBLIN, OCTOBER 25, 1868.

[This brief political autobiography fitly enough followed the Congressional canvass of this year. If its language, in some instances, should seem severe, the extraordinary character of the opposition which provoked it ought to be considered. In each successive contest, the warfare against Mr. Julian had increased in bitterness as it declined in power; and when, all other methods having failed hopelessly, the attempt was made to get rid of him by re-districting the State so as to deprive him of the great body of his friends, and he was about to succeed in the new district, the most shameless example of organized ballot-stuffing by pretended Republicans which followed, and has since been judicially proved, furnished some excuse for the use of expressive words.]

MY FRIENDS, — Allow me now to dismiss the subject of our general politics, and beg your indulgence in some local and personal references which seem naturally to be suggested by the Congressional canvass just closed. My political career among you has been a long one, and, in some respects, quite peculiar in its character; and your intimate connection with it must invest the subject with an interest in some considerable degree common to you and to me. In what I shall say, I must disregard the injunction to "Let by-gones be by-gones," because I do not think it applicable to the case in hand.

My first connection with the general politics of the Burnt District was in 1848. Up to that time I was a member of the Whig party, but the nomination of a large Louisiana slaveholder for the Presidency brought me to a dead halt. I could not support him without doing violence to the most decided and deep-rooted convictions of duty, earnestly as I desired to live in peace and unity with my old party friends. Very naturally, therefore, I became identified with the Free Soil organization, which was then springing into life in Wayne County, and which sent me as a delegate to the Buffalo Convention. Subsequently I was made an Elector for the district, and as such I made by far the most vigorous canvass of my life, encountering, at every stage of it, an amount of partisan rancor and personal abuse which have seldom, if ever, fallen to the lot of any politician. I never, for a single moment, doubted that I was in the right; and, having a good constitution

and an excellent pair of lungs, I made the hills vocal with my Free Soil speeches, speaking two to three times per day, and "fought it out on that line" to the end. My opponents used to say that my audiences consisted of "eleven men, three boys, two women, and a negro," and there was sometimes more truth than poetry in this inventory; but I despised not the day of small things. Our independent movement did not carry the electoral vote of a single State, and our standard-bearer himself was unworthy the support of honest men, as subsequent events have more than proved; but this organized stand for the right, and protest against the wrong, produced some very remarkable results. It saved Oregon from slavery. It gave cheap postage to the people. It launched the policy of free homes on the public domain which prevailed years afterwards; and as "the child is father to the man," so this movement was the progenitor, certainly the forerunner and pathfinder, of the mightier one which rallied its hosts under Fremont in 1856, elected Lincoln in 1860, and carried the nation safely through the grandest civil conflict that ever convulsed a great people.

The triumph of the Whigs in this contest, paved the way for their utter rout and ruin in 1852, but they were temporarily elated, and showed no disposition whatever to conciliate and win back to their ranks those who had separated from the party and joined the Free Soil movement.

The supporters of this movement fully reciprocated the unfriendly feeling; and as early as the close of the year 1848 they declared their continued independence by nominating me for Congress. The Democrats, smarting under their defeat on the deceptive issue of the Nicholson Letter, and politically powerless in the District, were quite ready to take advantage of the angry feeling between the Whigs and Free Soilers which the Presidential canvass had aroused. Accordingly, in the spring of 1849, they were overtaken by an apparent spasm of anti-slavery virtue, which led them to mount the Free Soil platform, and zealously join hands with my radical friends in electing me to Congress. This led to the oft-repeated charge of a *bargain* between them and me, which I have so often explained to you as simply an agreement that if they would stand straight up and down on my platform, and proclaim it as their political gospel, I would allow them to vote for me for Congress, which arrangement was carried out in good faith on both sides. My election was a surprise alike to all parties, and the canvass sowed the seeds of bitterness which still rankles in the



breasts of a few men here and there throughout the district ; but I believe no man, of any party, ever charged me with unfaithfulness, in the Thirty-first Congress, to the principles I had espoused at home. Braving all intimidation and danger, I stood shoulder to shoulder with Thaddeus Stevens and the handful of Radicals in the Congress of 1849, in opposing the passage of the Fugitive Slave Law, the Texas Boundary Bill, the abandonment of the Wilmot Proviso, and the organization of the House in the interest of slavery ; and no loyal man to-day will find fault with my action.

In 1851, in pursuance of the wishes of my friends, I became a candidate for reëlection. The chances of success were exceedingly doubtful. The Compromise Measures had silenced anti-slavery agitation. Lower-law sermons and Union-saving meetings were the order of the day throughout the Free States. The Whigs of the district no longer even *pretended* to stand by the Wilmot Proviso, while the Democrats were evidently growing uneasy, and their leading men were openly hostile to any further union with "abolitionism." But I believe it safe to say, that if I had been willing to trim my sails to meet the sickly winds of compromise which had set in ; if I had been willing to soften down and shade off the right-angled character of my anti-slavery principles, I might have been returned to Congress then, instead of biding my time through a probation of nearly ten years. But I would not flinch ; and when I tasted political death, I had the consolation of knowing that I went down with my colors flying.

In the following year a higher honor than that of a seat in Congress was conferred on me, in my nomination for the Vice-Presidency, on the ticket with John P. Hale. In 1853 I made my annual canvass of the district, still endeavoring to indoctrinate the minds of the people with my own views. In 1854, when "popular sovereignty" sprouted out of the grave of the Wilmot Proviso, my restoration to greater political activity and to popular favor seemed natural and easy ; but a new power in our politics, called Know Nothingism, made its apparition, and completely balked any such project. If I had so far played the mere politician as to join the lodges of this new order, at an early day, my success could scarcely have been doubtful ; but I fought it, with all my might, till it disappeared from our politics. The odds against me for a time were overwhelming. Nearly all my old radical friends joined the order. The old Whigs were in it almost to a man, and a very large per cent. of the Democrats ; and at my worst estate, I believe I had less than twelve political friends,

all told, in the wide world. The situation was highly encouraging to my old foes, and in the glad smile which lighted up their faces I could see plainly inscribed: "Now, at last, we have the pestilent agitator fairly buried, and the slab of eternal silence shall be laid upon his political grave." But believing then, as I do to-day, in the almightiness of truth and the profitableness of duty, I thought there would be a resurrection; and the only harm I wish my old opponents is that they may find time to read my carefully argued speech, published in the "National Era," and "Facts for the People," in 1855, and judge me by my own words, and in the light of present events. I need scarcely add, that our National Republican Platform of this year emphatically asserts the principles for which I then contended.

In 1856 I had fairly emerged into active political life again. It was confessed, even by my enemies, that my situation was not entirely sepulchral. I was graciously permitted to occupy the Republican platform at mass meetings, as you will remember, and on several occasions, in the presence of many thousands of people, had the peculiar honor of being introduced by a fellow who stood very high in Wayne County (physically) as "your honored representative in Congress, and your old and war-worn veteran in the cause of liberty." This fellow, since become infamous, had only a few days before declared that "the d—d Abolitionists must be kicked out of the Republican party." In 1858 what is now known as Radicalism had grown to still greater prominence and influence, and when the Republican Congressional Convention for this district assembled in the spring of that year, at Cambridge City, the town was so inundated with my political friends that the friends of other aspirants deemed it prudent to favor a postponement of the Convention till August, which was hastily agreed to on all hands. When this second Convention met it was pretty soon discovered that the political wires had been so artfully and unscrupulously manipulated against me by the friends of all the other aspirants, that my defeat was a foregone conclusion, though no intelligent, fair-minded man doubted that I was the real choice of the people. This Convention was an important event in my career. Here were assembled hundreds of men, many of them quite influential, whose minds had been so poisoned against me that they had never before come within the sound of my voice. Two formidable falsehoods, industriously fulminated against me by my leading opponents, had kept me down during the previous seven or eight years; and now I was to have the opportunity to nail them effectually to the coun-

ter. One of them was the assertion that I was a disorganizer, and would bolt whenever I failed in a nomination. This was unsupported by any shadow of proof, and contradicted by my uniform action as a member of the Republican organization; and here, before this Convention assembled from all parts of the district, and in the presence of the men who had coined the charge, I branded it as false, and confirmed my denial by cordially acquiescing in the nomination of Judge Kilgore. This was a dagger to my opponents, which they tried in vain to parry. It did its work thoroughly. The other charge was that I was in favor of making an irruption into the South, freeing the slaves by violence, bringing them into the North, putting down the wages of poor laboring white people, marrying the negroes, and playing Satan generally on a very large scale! This was the substance of the charge, and not far from the exact language, and it had been iterated and reiterated so zealously for years, that the very atmosphere seemed to be loaded down with it. The coiners of it knew it to be false, but they seemed to believe in the lines of the poet, —

“How full of weight, how strong, how bold!  
The big round lie, with manly courage told!”

This charge I met with a point-blank denial; and I offered a reward of one thousand dollars to any man, of any party, who would prove, from any speech I had ever delivered, by any letter I had ever written, or by any word I had ever uttered in any conversation, that I had at any time entertained or avowed any such sentiment. This was another dagger, which went straight to the mark; and, for the first time in my life, I felt that I was about to be understood by the people, in spite of the men who had resolved, at all hazards, that I should not be. This Convention, therefore, was the occasion of a personal and political triumph, while General Kilgore, though nominated, felt that his political days were ingloriously numbered, and that his defeated competitor must be “the coming man.” In 1860 I was overwhelmingly nominated and elected, and it seemed to be done as a matter of course. In 1862 the fight against me was renewed with singular bitterness; but with the broadest radicalism on my banner, demanding emancipation and the arming of the negroes as a moral not less than a military necessity, and openly branding General McClellan as a rebel sympathizer and a military failure, I was sustained in the nomination and at the polls. Proclaiming a radicalism still more thorough in 1864, I was again nominated and elected, after



a contest which had no parallel in the past in the bitterness and malignity with which I was assailed. In 1866 all the elements of hostility were marshaled and consolidated against me, in what was evidently intended as one grand and final assault; but my triumph in the nomination, and again at the polls, was such, that I believe all hope of getting me out of Congress fled, save in such a reconstruction of the Fifth District as would deprive me of the great body of my friends, and compel me to look for help to new counties, in which I was comparatively unknown.

This, my friends, brings us to the canvass of 1868, and a very remarkable one it has certainly proved. I was nominated in April, by popular vote, and with such singular unanimity that the delegated Convention which followed made the final nomination unanimous. This, considering the conflicts of the past, and the peculiar character of the new district, was in the highest degree gratifying to my friends. It seemed to be a most unmistakable solution of our Congressional problem for the present year. I believe no Republican then found any fault with my public action, or has since done so, although I have taken no merely passive or negative part in the practical business of legislation during the past seven years. I have been an earnest and active supporter of all the great measures growing out of or connected with the war, such as the confiscation of rebel property, the arming of the negroes, the destruction of slavery, the punishment of rebel leaders, the enfranchisement of the freedmen, and the reconstruction of the rebel States. I have also had the honor to take a decidedly advanced position on all these questions, and to find myself fully vindicated by time; while I have no occasion whatever to put out of sight anything that I have done or uttered as your servant. With such a record I must, of course, expect the envenomed hostility of every rebel, and every sympathizer with treason, in the United States. I have had it, and am as proud of it as a bride of her marriage ring. I have denounced and branded them, and shall continue to do so to the end; and they have fought me with a desperation utterly unprecedented, and which defies all definitions. But they have found some natural allies and brothers beloved in a few pretended Republicans, who joined them in secret and cowardly conclave, prepared and stealthily put in circulation tickets with the name of my competitor printed in the place of my own, and so closely resembling our tickets as to be peculiarly calculated to induce my friends to vote them; and not content with this act, by which they have fairly earned the honors



of the Penitentiary, they coolly planned and deliberately executed a conspiracy to *stuff* the ballot-box of the south poll in the city of Richmond with these tickets! Of course these factionists knew that the issue to be tried in these fall elections is the most solemn ever submitted to the American people, involving all the questions of the war, and all the fruits of our victory. They knew that in this prolonged battle with traitors, no power but that of Congress can stand as a breakwater against the black flood of treason which threatens to overwhelm this land. They knew, and frankly confessed, that they could make no objection to my course in Congress during the years of trial through which we have passed. They knew my defeat must sadden every loyal heart, and make glad every rebel in the Union; but their hoarded malice gave them no pause in their treasonable career, and has left them no reward but the disgrace and infamy which they have so justly earned. These men, after doing their utmost to secure their wishes in the nomination in April, should have abided by it. If any pretended personal grievances could have justified them in voting against me, they should quietly have erased my name from the ticket, leaving other Republicans free to conform to the usages of the party, and aid in maintaining its unity; but when they went beyond all this, and joined hands with Copperheads in the use of the basest and foulest means to defeat the Republican party, they lost all right to be recognized either as Republicans or gentlemen. They are deserters to the enemy, and should be dealt with accordingly. And yet these interesting and precious individuals, as if determined to exalt impudence into a fine art, are laboring quite industriously to propagate the idea that all thought of making another fight in my behalf must now be abandoned at once, since the contest has been made so very close through their atrocious plot to crush me! What a beautiful and blessed set of fellows thus to urge their own unmatched knavery and swindling as a reason for throwing me overboard, and selecting some man who can command their distinguished support! Let them get out of the dishonest graves they have dug for themselves before they trouble Republicans with their advice. The future will provide for itself. These men have been laying me finally on the shelf for a number of years, and perhaps they are destined to continue in that delightful occupation some time longer. When they urge that harmony requires that I should be retired from the political field, and that such conflicts as they kindle must rend us into fragments, I reply that a far more decent method of establishing harmony would

be for the squad of malignants who palm off spurious tickets and stuff ballot-boxes to leave our organization and go to their place. The Republican party of this and the other counties of the district was never before so well organized and so completely consolidated. In the counties of Wayne and Fayette, notwithstanding the spurious ticket fraud, I fell below the State ticket far less than ever before ; while in Union, Franklin, Rush, Hancock, and Shelby, I am nearly up with it. Whoever will take the trouble to look at the votes of other members of Congress in this State, and other States, as compared with the general ticket, will find very little cause to cavil at the difference between my vote and that of Governor Baker. No, my friends, I make no calculations as to the future. I know the uncertainty of health, and of life. I know that we have men among us whose longing for my ruin is as unslumbering and as remorseless as ever impelled a Ku Klux Klan to sacrifice a hunted victim. I know, too, how weary and exhausting is such a life as I lead, and how gladly I would exchange it for retirement and rest. But I have accepted all dangers and conflicts in the past, and am ready to brave them in the future, in the advocacy of what I believe to be the truth ; and I give no countenance whatever to the suggestion that my last struggle in this Congressional District has been made. When I shall be defeated in an honorable warfare, and by a manly opposition, and not by political Thugs and assassins who have cheated public justice out of her dues and made respectable the average villains of society, I trust I shall be ready cheerfully to retire from the strife of politics.

I beg your pardon, my friends, for these personal references. They concern my consistency and faithfulness as a public character, and to this extent they concern you, who have stood by me with such rare consistency for successive years. I can say, with truth, that I have endeavored, sincerely, to serve you, and thus to earn your good opinion ; and now, with a single word more, I close.

It has been charged that I have been too ultra, an extreme man, advancing so rapidly that instead of leading the people forward I only blocked up their way. Judge me in the light of to-day, and say whether Radicalism, or the want of Radicalism, has been our besetting trouble during the past twenty-five years. It has been charged that I am ambitious. If so, my ambition has been to serve you as faithfully as I could, and at the same time to weave the story of my life honorably into the records of our coun-

try. It has sometimes been said that I am selfish, and only willing to work when I can lead; but I point you to my record of twenty years, during which I have given the strength of my manhood, the best years of my life, to the holy cause of Freedom, through evil report and through good report, taking no thought for the morrow, and never conferring with flesh and blood. It has likewise often been said that I am "cold-blooded," "unsympathizing," and "unsocial;" but this charge, however honestly believed, is refuted by my whole history as a public man. I have encountered, for a number of years past, an amount of political venom and personal vituperation which have rarely been equaled and never exceeded in partisan warfare; and I confess I have not loved very tenderly, or caressed very fondly, the political bloodhounds that have been leaping at my throat, or the small dogs that have been snapping at my heels. Probably I have been a little "unsympathizing" and "unsocial" toward them, but in repeated political conflicts I have successfully wrestled with all the leading public men of Eastern Indiana, either singly or in combination; and I was able to do this because in every battle I fought I intrenched myself more fully than ever in the hearts of the people, who recognized in me their friend. A "cold-blooded" man could have had no such career, because the instinct of the people would disown and spurn him.

It is said that I am "quarrelsome," and some of our newspapers have paraded the names of sundry distinguished gentlemen in this section of our State with whom, it is said, I have quarreled during the past quarter of a century. But may I not suggest that at least two persons are required to carry on a quarrel? And may I not further venture to intimate the bare possibility that some of these gentlemen have quarreled with me? Is there any legal or moral presumption that in every case I originated these political strifes, which were never, in fact, personal quarrels? Standing almost alone, as I have so often done, in proclaiming unpalatable doctrines, is it not somewhat reasonable to suppose that the attacking party has not always been myself? And furthermore, I beg my critics to remember, that if I did "quarrel," it was for the truth, for principles now in the ascendant, and which to-day are openly espoused by the very men who "quarreled" with me years ago for advocating them. Am I not entitled to their forgiveness? Do they wish to continue the quarrel after the cause of quarrel has ceased?

It has been charged that I am "an uncompromising hater,"



and that I have sought "to crush out every man and every interest that has stood in my way." A proposition more remote from the truth could scarcely be expressed in words. What are the facts? Early in life I embraced some very decided political convictions. I believed in them absolutely, and therefore I clung to them with a tenacity quite surprising to politicians gifted with "the faculty of familiar adaptation." My opinions being exceedingly unpopular, I must either yield them, or encounter great odds, and the natural tyranny of numbers. I did not surrender, because it was morally impossible, and therefore, in self-defense, I had to return blow for blow. That was my sin. I would not yield. And could I be expected to practice the gentle graces and sweet amenities of social life, and of private friendship, in confronting the intolerant crusade of a powerful opposition? If I had yielded my ground for the sake of peace, I might have had peace, and with it the leisure to cultivate the spirit of conciliation and compliance, and improve my social habits, which it seems unfit me for legislation. Perhaps I could have mastered the unworthy arts by which public men very often win favor with the people, if I could only have seen fit to spurn the hard and rugged path I have pursued; nor do I deny that conflicts and struggles impress the character with a certain sadness and sternness which somewhat mar the joy and beauty of life. It could not be otherwise; but to lose sight of those virtues of courage, steadfastness, and fidelity, through which a man is able to defy all opposition in the maintenance of the truth, and impute his constancy to a disposition to "crush out" his opponents, is certainly a very novel and peculiar method of dealing with human nature.

You, my friends, have understood me, and sustained me, through all these years. I have borrowed from you your strength, and your fidelity to freedom, and have given back to you the dedicated energy and zeal of one who thoroughly believed what he taught, and resolved, at whatever cost, to maintain it to the end. I have carried the same spirit into the new Fourth District, and whatever may betide my future political fortunes, I shall ever remember, with unfailing satisfaction and pride, the tie which has so long bound us together, cemented by time, and by multiplied acts of mutual service and friendship.





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